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THE

HISTORY OF DUELLING:

INCLUDING,

NARRATIVES

OF THE MOST

REMARKABLE PERSONAL ENCOUNTERS

THAT HAVE TAKEN PLACE FROM THE EARLIEST PERIOD

TO THE PRESENT TIME.

BY

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HISTORY OF DUELLING.

CHAPTER I.

INTRODUCTORY OBSERVATIONS.

While calmly perusing the annals of duelling, we cannot but be amazed when we behold, in the present day of pretended intellectual perfection, this practice adopted in a society which prides itself upon its boasted high state of civilization.

The details of ancient duels and single combats, which in fact were little better than qualified murders, may be revolting from their barbarous excesses ; yet no study will tend more effectually to rub off from the pictorial romance of history its deceptive varnish, than that of duelling, its progress, and its occasional comparative disappearance when it ceased to be fashionable, or resorted to by the upper classes of society.

The very origin of duelling should make us blush at its permanency,—springing from the darkest eras of barbarism, when scarcely a vestige was left, in the wreck of empires, of ancient glory, and of those arts, sciences, and polite accomplishments that had distinguished preceding ages, and of which the scattered ruins and tradition alone remained, fearful records of the vanity of earthly grandeur and mortal fame.

The martial and independent spirit of Rome was extinct. Sybarite luxury had succeeded its days of iron; and civilization, degraded by over refinement into effeminacy, had built palaces, but overthrown the barriers against invasion. This weakness was felt, tried, and overwhelmed. Swarms of barbarians overran that once great dominion,—the torrent swept all before it, and famine and pestilence marched in the train of the savage invaders; every institution that policy had laboured to establish was overthrown; and, for centuries, scarcely a vestige was to be traced of law, justice, or reason. The right of the sword was the only authority recognised; and a feudal system divided mankind into lords and slaves. Turbulence, oppression, and rapine were called government. The Deity was supposed to be propitiated by deeds of blood; while religion became a useful mask for the hypocrite, and was confined to the observance of external ceremonies.

It was during this dark period that the practice

of trials by ordeal,* duelling, and single combat reigned paramount; and, when we consider the state of society into which mankind were brutalized, we cannot wonder at this mode of deciding differences being considered the wisest and most just. This epoch cannot be better described than in the fitting passage of Robertson:

"To repel injuries and to revenge wrongs, is no less natural to man, than to cultivate friendships; and, while society remains in its most simple state, the former is considered as a personal right no less inalienable than the latter. Nor do men in this situation deem that they have a title to redress their own wrongs alone; they are touched with the injuries done to those with whom they are connected, or in whose honour they are interested, and are no less prompt to avenge them. The savage, how imperfectly soever he may comprehend the principle of political union, feels warmly the sentiments of social affection, and the obligations arising from the ties of blood. On the appearance of an injury or an affront offered to his family or tribe, he kindles into rage, and pursues the author of

* In the following pages I shall describe these several ordeals; for although they may not be considered as coming within the legitimate sphere of duelling, yet both practices were equally barbarous in their origin and absurd in their application. Duels actually formed part of the system of ordeals, in which the judgment of God was appealed to in behalf of the innocent.

it with the keenest resentment. He considers it as cowardly to expect redress from any arm but his own, and as infamous to give up to another the right of determining what reparation he should accept, or with what vengeance he should be satisfied."

Here we find the ground-work of duelling,—and it is to be lamented, that man, even in a progressive state of civilization, differs little from the savage in his thirst for gratifying the degrading indulgence of revenge.

Let us strip the romantic days of chivalry of their fantastic and glittering panoply,—the hall of wassail of its pomp and beauty, — the troubadour's fond theme of its florid attractions, — and the feats of knighthood in the cause of the ladies loved *par amours* of their Quixotic devotion, — and what shall we behold? Treachery and ferocity of the blackest die, — profligacy and debauchery of the most revolting nature, — vice clad by a morbid imagination in the most fascinating garb of virtue, — and a murderer's brow laurelled by beauty's hand, instead of falling under the headsman's axe!

Balzac has truly said that we might travel to the world's end upon *a word*. If we could but define certain *words*, and make that definition recognized by society, which is drawn by reason, instead of fashion and prejudice, how much more happy might we not be! Then should we know

the real meaning of the words, "liberty, glory, honour, love, courage," — now fantastic idols, at whose shrine so much blood has been vainly shed! — while, by a strange perversion of human intellect, *satisfaction* has been considered to consist in the probable aggravation of our own sufferings, and the misery of all those whom we hold dear.

It would be anticipating further observations on this important point, to dwell longer upon it in this place. In the following pages are recorded the most celebrated duels of various ages, and of different countries. In their perusal we may shudder at the atrocity of the details, and flatter ourselves with the idea that the present times are more civilized, but reflection will convince us that we are in error; the causes and the effects of the evil continue the same,—the one equally frivolous, the other equally disgraceful, and equally criminal. Not only will the history of duelling throw considerable light on the history of the times, but it will materially tend to illustrate the manners and the institutions of society at the different periods of its progression towards a more humanized condition; at the same time we shall see what has been the effect of example in sanctioning or discouraging the practice. In the history of duelling we read the history of mankind in the developement of our evil passions, and the occasional display of some redeeming qualities.

It is a reflective mirror stained with blood, and we must wipe off the clotted gore of ages to contemplate truth in all its bearings, to feel what miserable creatures we are!—the occasional footballs of vanity and pride, or the tools of ambition and hypocrisy, but always the victims of ideal pursuits and visionary joys! Worldly pomp and all its attractions—its honours and its glories—remind one of the vain youth who embraces the career of arms, to sport a dazzling uniform. Behold him now moving in a galaxy of military splendour; soon after, alas! stretched upon the battle-field, alone, abandoned; wounded and faint, not a drop of water to moisten his burning lips, not a friendly hand to raise him from the ground, while, thinking on the home that he has left, and the friends whom he shall never see more, he gazes on the embroidery of his lacerated costume! The dream is passed! sad reality ushers in despair!

As it was from France that the practice of duelling was introduced into the British isles, I shall first follow the history of the practice during the several reigns of that monarchy, and bring it up progressively through the revolutionary era to the present day; I shall then trace the progress of single combat in the other countries of Europe; and finally illustrate this execrable relict of barbarism as at different periods it prevailed in our own country.

The advantage that may arise from thus chronicling, in all their hideous details, such scenes of blood and turbulence, may be questionable, yet one result seems to be obvious: if the records of noble deeds are calculated to produce a praise-worthy emulation in youthful minds,—to inspire generous feelings and justifiable ambition,—may not the annals of what may be called honourable aberrations lead us to come to a just conclusion on a subject so long mooted and advocated (as we shall see in another part of this history) by as many eloquent men as it has been condemned by others of an equally persuasive authority? It is no doubt true, that the perusal of the Newgate Calendar has seldom or never deterred a youthful tyro in guilt from the commission of further offences; but a relation of absurdities (for such must be considered the origin of most duels) is, perhaps, more likely to prove beneficial than tales of terror. Such is the force of prejudice, that ridicule is more dreaded than merited contumely. A man of the world prefers the charge of murder to the ignominious brand of cowardice.

The difficulty of suppressing duelling has been but too generally admitted, and it is therefore considered an unavoidable evil. To mitigate it by such regulations as are most likely to render it less fatal, and afford a more equal chance to the parties unfortunately compelled to submit to society's capricious laws, has, therefore, been

a task which various experienced duellists have undertaken, more especially in France. In the following pages will be found three several codes, if such they may be called, an observance of which may prevent many fatal rencontres, and, when they do take place, much effusion of blood and frequent loss of life.

CHAPTER II.

ON DUELLING AMONGST THE ANCIENTS, AND IN OLDEN TIMES.

Whatever may have been the opinion of Brantôme, and other writers on this subject, it is evident that the practice of duelling was unknown to the ancients. History, no doubt, has recorded the personal conflicts of several of their warriors, who have called each other out to single combat in presence of their respective armies; and also of various bands of distinguished individuals, who have maintained the honour of their national character in presence of arbiters named to judge the combatants. Thus do we find Achilles contending with Hector, Turnus with Æneas; while Eteocles with seven of his companions in arms defeats his brother Polynices with an equal number of followers. In the Roman annals we read of the conflict between the Horatii and the Curiatii; the combats of Manlius, Valerius Corvinus, Sergius, and Marcellus: while the records of Greece have registered the meeting of Pittacus of Mitylene, and

Phrynon the general of the Athenians. In this instance, Pittacus, who was one of the seven wise men of Greece, displayed his wisdom by showing that "the better part of valour was discretion;" for, having concealed a net in his shield, he did so entangle his antagonist therewith, that he fell an easy prey to his combined courage and cunning.

The ancients were certainly in the habit of putting to the test the courage and dexterity of wrestlers in the *Pancration*. The combatants were obliged to present themselves several days before the fight, and to undergo a strict examination; no slave or malefactor, nor any one related to such, being admitted to the contest. The selection of the combatants was decided by lot; various balls, each of which was marked with a letter, were put into a box, and the first two who drew balls of the same letter were matched against each other, and continued the struggle until one of them yielded, by holding up his finger. In this contest the prize was adjudged by umpires, amongst whom, according to Pausanias, certain ladies in disguise managed to introduce themselves, to bestow the palm of victory upon their favourite champion; in consequence of which it was ordered that in future the judges should sit unclothed with the victorial garlands before them.

Many of these combats were mortal, and attended with circumstances of great ferocity. At

first the parties fought with fists, into which were introduced balls of stone, iron, or some hard substance. The *Cæstus* was then introduced, — a heavy glove or gauntlet of thick leather studded with nails and pellets of iron or brass : hence fatal results were most frequent. Anacharsis the Scythian observed, that he admired how the Grecians could so much honour and encourage this exercise, when, by their laws, all violence and injury were severely punished. Ælian mentions a Crotonian Pancratiast who dropped down dead while they were carrying him to the judges to receive the garland. The same author relates the case of another pugilist, who, having received a blow in the mouth that knocked in all his teeth, swallowed them together with the blood that followed, in order to conceal from his antagonist an injury that might have induced him to continue the contest with greater ardour. Pausanias relates several extraordinary instances of the kind : one of a man named Arrachion, who had been twice crowned at the Olympic games, who fought and conquered all who entered the lists against him till but one remained, who, running violently upon him, at the same time entangled him with his feet, and with his hand grappled his throat, which strangled him ; but, before Arrachion expired, he broke off a toe of his adversary, which gave him such pain that he died on the spot. The judges ordered the

rels, very independently maintained their own rights.

In more modern times we read in chronicles of various national conflicts of a similar nature. Such was the battle called that of the *Thirty*, when that number of Englishmen and Frenchmen contended for superiority. Richard Bembrough, an English chief commanding the garrison of Ploërmel, anxious to avenge the death of his comrade Thomas Dagarne, killed before Auray, had ravaged the surrounding country, carrying desolation into every quarter, and murdering indiscriminately traders, artisans, and labourers. The Sire de Beaumanoir, a gentleman of Britanny, asked for a conference; which being granted, he remonstrated with Bembrough on his conduct, reproaching him with waging a cruel and foul warfare, by attacking unarmed and helpless individuals. The British captain, who considered himself insulted by these reproaches, proudly answered, that it little became him and his followers to compare themselves with Englishmen. Beaumanoir immediately challenged him to a trial of arms, which was as readily accepted by Bembrough. The place appointed for the meeting was at a certain ancient oak-tree, between Ploërmel and Josselin; and, on the appointed day, thirty combatants appeared on each side, while all the nobility of the district crowded to the spot to witness the conflict.

Before giving the signal of the onset, Bembrough, it appears, had some scruples; as he considered that the battle would be irregular unless he had received the permission of his prince: he therefore wished to postpone the battle until such leave was obtained. To this proposal the sturdy *Breton* would not agree, but insisted upon immediately deciding which of the two was the better man, and was loved by the fairest lady; the Countess de Blois being the lady of Beaumanoir's affection.

The conflict was desperate; and the French chronicler states that nearly all the English bit the dust, the wounded being despatched by the conquerors. Bembrough was killed by a certain Alain de Kaërenrech, when on the point of assailing Beaumanoir. The latter, being grievously wounded, asked for drink, when one of his companions, the Sire de Teuteniac, charitably told him to drink his own blood, and that would quench his untimely thirst.*

In 1404 another combat of the same description took place, between seven French and seven English knights, before the castle of Montendre, in Saintonge; Charles VII. having selected Arnault Guillem de Barbazas to lead on the French against their antagonists, commanded by the Lord

* By other accounts it appears that in this same battle only five knights were killed,—four English and one Breton. Sir Robert Knolles and Sir Hugh Calverley were of the party.

Scales. The combat took place in presence of both armies; Jean de Harpedene and the Earl of Rutland having been appointed arbiters by their respective monarchs. Here again, according to Moreri, the French arms were triumphant; and Barbazas was honoured with the title of the *Chevalier sans reproche*, and allowed to bear the *fleur de lis* without a bar on his escutcheon, Charles VII. moreover ordained that he should receive sepulchral honours in the church of St. Denis, and be buried by his own side.

At various periods we see sovereigns challenging each other, but reserving to themselves the option of accepting or declining the combat. Thus, Francis I, when a prisoner of Charles V, conceived himself insulted when the latter monarch very justly reproached him with having broken his royal word, by violating every promise which he had made to him; for, in order to obtain his liberty, the French prince made many solemn promises, amongst others the cession of Burgundy, which he broke so soon as he was free, on the plea of having acted under *moral violence*. A similar plea was adduced, during the late war, by the many French prisoners who so repeatedly broke their parole. The challenge of the French King is so curious and bombastic, and so unbefitting a man who had just violated every law of honour, that it is worth translating.

"We, Francis, by the grace of God, &c. to

you, Charles, by the same grace, King of Spain, do maintain that if you accuse me of having done any act unbecoming a gentleman jealous of his honour, we tell you that you have lied in your throat so often as you may have made, or shall make, such an assertion. And, as we are determined to defend our honour to the end of our life, we protest that, after this declaration, in whatever place you either speak or write any matter against our honour, any delay in the combat shall, to your shame, be attributed to you, as your attending this challenge will put an end to all further correspondence."

Charles V. did accept the challenge, and sent to the French King a herald, bearing what was called *la sureté du camp*, to appoint time and place. The French monarch, however, received the messenger in the hall of the Louvre in presence of all his court and the foreign ambassadors; when, strange to say, in the exercise of his kingly power, he would not permit the herald to open his lips; thus pusillanimously avoiding a meeting he had so impudently provoked.

What made this gasconading worse than ridiculous was, the circumstance of Francis applying to Pope Clement VII. for absolution for having ceded Flanders and Artois; thus requiring absolution for the maintenance of an oath that he could not violate, without asking for a similar

exoneration for the breach of the solemn promise he had made to give up Burgundy. Voltaire has truly said of this rodomontade, "*Tant d'appareil n'aboutit qu'au ridicule, dont le trône même ne garantit pas les hommes.*"

Not unfrequently was this recourse to arms declined both in ancient and modern times. Metellus in Spain refused the challenge of Sertorius; Antigonus was defied by Pyrrhus; and Marius sent word to a Teutonic chief, who urged him to a personal trial of prowess, that, if he was tired of life, he had better hang himself.

Our Edward III. provoked Philippe de Valois to a similar trial, either in single combat, or by an action of a hundred against a hundred men; when the latter declined the meeting, alleging that a vassal could not encounter his sovereign, Edward having done homage to him for the duchy of Guienne: but subsequently, when the arms of Edward were triumphant, Philip expressed a desire to accept the former challenge; the victorious monarch, however, in his turn very wisely declined a meeting which would have staked the glory he had obtained on the hazard of a doubtful rencontre. To the first challenge of Edward, Philip had replied, that he offered to hazard his own person only, against both the kingdom of France and the person of its King; but that if the latter would increase the stake, and put also the kingdom of England on

the issue of the meeting, he would very willingly accept the challenge. Hume very justly observes, that "it was easy to see that these mutual bravadoes were intended only to dazzle the populace, and that the two kings were much too wise to think of executing their pretended purpose."

Christian IV. of Denmark answered a defiance of Charles IX. of Sweden by strongly advising him to take a dose of hellebore; and Charles Gustavus, when similarly circumstanced with Frederick of Denmark, simply replied, that he only fought in good company. In our own days Gustavus IV. challenged Napoleon; and the only reply he received from the French Emperor is said to have been, that he would send him a fencing-master as a plenipotentiary, with whom he might arrange the proceeding.

Duels, as I have before said, were unknown amongst the ancients, however acute and fastidious might have been their feelings of what is called honour, and the duties which it imposes. The lie—the blow—the most slanderous abuse — were not then considered a stain upon a man's character requiring an appeal to arms in order to verify the old saying, that the dead are always in the wrong. When Eurybiades raised his stick against Themistocles, the youthful hero merely replied, "Strike, but listen to me!" Lycurgus did not deem it necessary to avenge the blow he received from Alcander,

although it deprived him of an eye; nor did Cæsar bring Cato to account for the ridicule he heaped upon him in the senate. Agrippa, one of the bravest chiefs of Augustus, allowed the son of Cicero to throw a cup at his head; and it appears that this rude custom often prevailed at their festive boards.

Cæsar relates that two of his centurions, who could never agree, decided that they should both rush on the ranks of the enemy, to put each other's valour to the test. Sophocles, being advised to prosecute a man who had struck him, calmly replied, "If a donkey kicked me, would you recommend me to go to law?" Indeed, the Roman law clearly stated that a blow did not dishonour,—*Ictus fustium infamiam non importat.*

The advocates of personal meetings have gone so far as to maintain that duels are recorded in Holy Writ, for such they consider the murder of Abel, and the combat between David and Goliah: they have also compared the combats of the Roman gladiators to duelling,—a most absurd view of the subject, since those victims of Roman ferocity entertained no personal hostility towards each other; and Sully, in his Memoirs, justly observes, that "duellists have revived the base profession of gladiators, and rendered themselves more contemptible and hateful than the unfortunates who bore that name."

CHAPTER III.

THE ORIGIN OF DUELLING.

Since no traces of this practice can be found in the records of antiquity, we must seek for its origin in more modern times, and we shall find that it arose from an association of brute courage with superstition of the most credulous and degrading nature. In those rude ages when personal valour and prowess were considered the greatest qualifications for public and private estimation, the strongest was sure to rule. Religion and love, two of the most mighty levers of mankind, were soon associated to warrant the commission of the most ruthless excesses, and the palm of victory was supposed to be suspended over the head of each combatant by the Deity and woman : a just cause could be maintained by the sword alone, and true love only proved by the lance.

The barbarous courage of the northern nations has been fully illustrated by their historian Tacitus, and it was their firm belief that both public and private quarrels could only be de-

cided by single combat; when we consider that these savage and superstitious hordes afterwards overran the whole of Europe, the practice of a personal appeal to arms may be easily traced to their irruption in the fifth century, when their innumerable masses poured forth from their ancient and gloomy forests, to seek a more congenial clime, and a more profitable field for the display of their overwhelming power. The Anglo-Saxons inundated the British isles; while the Lombards, the Suevi, the Vandals, the Visigoths and Ostrogoths, established their iron sway in Italy, Spain, Portugal, and Sarmatia.*

Thus did these barbarians establish an universal *militarism*, the parent of feudality—its first-born offspring, when only two classes were recognised in society—the powerful and the weak—the lord and the villain. The soldier and the militant priest reigned with despotic rule; all learning and intellectual improvement were considered hostile to their mighty power, and every institution that they framed was consistent with ignorance and barbarity.†

* As Robertson has observed, "Force of mind, a sense of personal dignity, gallantry in enterprise, invincible perseverance in execution, contempt of danger and of death, are the characteristic virtues of all uncivilized nations."

† Strangers to the arts which embellish a polished age, these people as they progressed in civilization, however slowly and rudely, gradually lost all the virtues which are found among savages. They looked upon literature with sovereign contempt:

To give their decrees a greater moral weight, they were clothed with the sanctity of a divine law. The sword was considered the only mode of arbitrating between right and wrong. Whatever the priest had stigmatized by bell, book, and candle, was considered detestable in the eyes of God, and therefore doomed to worldly destruction: plunged in an abyss of apathetic stupidity in all matters where judgment should have decided, or hurried headlong by a vortex of superstitious fears, man had no light to guide him but the *ignis fatuus* of bigotry.

All these barbarous races knew no other mode of deciding differences but that of brute force. Tacitus informs us that, when a tribe of Germans contemplated a war with any neighbouring race, they endeavoured to take one of them prisoner, and, by setting the captive to fight one of their own people, formed an idea of their chances of success. Plutarch informs us that Alexander tried the same expedient ere he commenced his attack on Darius.*

"When we would brand an enemy," says Liutprandus, "with the most disgraceful and contumelious appellation, we call him a Roman." Instruction, they maintained, tends to corrupt, enervate, and depress the mind; and he who has been accustomed to tremble under a rod, will never look upon a spear or sword with an undaunted eye.

* While public wars were to decide the feuds of nations and of tribes, a private war was considered right to settle individual disputes. In this private hostility, however, the kindred of both parties were obliged to espouse the quarrel, or forfeit

In vain had the Romans endeavoured to civilize the Cimbri and the Teutones. In vain did Varus seek to arbitrate amongst them, and terminate their bloody feuds; if, for a moment they seemed to yield to his suggestions, it was the better to conceal their preparations for the destructive insurrection they meditated.

A speedy recourse to arms must have been the natural result of any difference that arose amongst men who never assembled but in warlike array, whether the object of the meeting was public or private: and, superstition inducing them to believe that the gods would shield the innocent, an "ordeal" was established, by which the accuser was to make good his assertions, and the accused defend his innocence; and these combats were thence called *judicial.**

The first legal establishment of these ordeals is to be found in the laws of Gundebald, King of the Burgundians, A. D. 501. This law enacted that Gundebald, being fully convinced that many of his "subjects suffered themselves to be corrupted by their avarice, or hurried on by their

all the rights and privileges of relationship; and it may be easily believed, from the inveteracy that marks all intestine discord, that these wars were waged with every possible refinement of ferocious revenge.

* A remarkable instance of this influence of brute force, that set at defiance all power and subordination, occurs in the history of Clovis, whose soldiers having plundered a church, and borne away various sacred utensils of great value, the bishop sent

obstinacy, so as to attest by oath what they knew not, or what they knew to be false: in order to put a stop to such scandalous practices, whenever two Burgundians are at variance, if the defendant shall swear that he owes not what is demanded of him, or that he is not guilty of the crime laid to his charge; and the plaintiff, on the other hand, not satisfied therewith, shall declare that he is ready to maintain, sword in hand, the truth of what he advances; if the defendant does not then acquiesce, it shall be lawful for them to decide the controversy by dint of sword. This is likewise understood of the witnesses of either party; it being just that every man should be ready to defend with his sword the truth which he attests, and to submit himself to the judgment of Heaven."

To a certain extent, to the shame of the civilized world be it said, this savage and absurd decree is acted upon in the present age!

The manner in which these judicial combats

a deputation to the prince to solicit the restoration of a certain precious and sanctified vase. Clovis replied, that when the booty was divided, if this vase fell to his lot, it should be immediately returned. Arrived at Soissons, the prince requested as a favour that this vessel should be allowed him as the only share of booty he would claim. All appeared willing to comply with this request; when a fierce soldier, striking the holy vessel with his battle-axe, exclaimed in a thundering voice, "You shall secure nothing here but that which the lot shall give you." And there is but little doubt, that, had Clovis persisted, the battle-axe would have lighted upon his head.

were carried on was equally ferocious and disgusting. "The accuser was with the peril of his own body to prove the accused guilty; and, by offering his glove, to challenge him to this trial, which the other must either accept, or else acknowledge himself culpable of the crime whereof he was accused. If it were a crime deserving death, then was the combat for life and death either on horseback or on foot. If the offence only deserved imprisonment, then was the combat accomplished when the one had subdued the other, by forcing him to yield, or disabling him from defending himself. The accused had the liberty to choose a champion in his stead; but the accuser must appear in his own person, and with equality of weapons. No women were allowed to behold the contest, nor male children under the age of thirteen. The priests and the people did silently pray that the victory might fall on the guiltless; and, if the fight were for life or death, a bier stood ready to carry away the dead body of him who should be slain. None of the people might cry out, shriek, make any noise, or give any sign whatever; and hereunto, at Hall in Suevia, (a place appointed for a camp-fight,) was so great a regard taken, that the executioner stood beside the judges, ready with his axe to cut off the right hand and left foot of any party so offending. He that, being wounded, did yield himself, was at the mercy of

the other, to be killed or allowed to live: if he were slain, he was buried honourably, and he that slew him reputed more honourable than before; but if, being overcome, he was left alive, then was he declared by the judges void of all honest report, and never after allowed to ride on horseback or to carry arms."

In later days, the Burgundians, faithful to their early institutions, and the Flemish citizens governed by the Duke of Burgundy, used to settle their disputes in a manner somewhat similar. In imitation of the ancient athletæ, who anointed their bodies with oil, these worthies smeared themselves over with tallow or hog's lard, and then, with a buckler and club, fell to; having first dipped their hands in ashes, and filled their mouths with honey or sugar. They then contended until one of the parties was killed, — and the survivor was hanged for his trouble.

As civilization improved, the ladies were allowed to witness these exhibitions; and a curious duel is related by Brantôme. At the coronation of Henry II, a dispute arose between a Baron des Guerres and a certain Seigneur de Faudilles, and they applied for a "field" to settle the quarrel: the sovereign, however, had made a vow not to sanction any duel since the death of his favourite De la Chasteneraye; and they therefore met at Sedan, which was under the sovereignty of Monsieur de Bouillon. The combatants appeared

after all due preparation; Le Sieur de Faudilles having lighted a fire and set up a gallows, to the which he intended to suspend the corpse of his antagonist. They were both attended by their *parrains;* the baron being armed with a peculiar sort of sword, called *épée bâtarde,* the dexterous use of which had been taught him by a cunning priest. The action commenced, when Faudilles ran his sword through the baron's thigh, and inflicted a large wound that bled most profusely; then, throwing away the sword, a wrestling match ensued, the baron being very expert in this exercise, which had been taught him by a priest of Brittany, a chaplain of Cardinal de Lennicourt. Both parties now belaboured each other furiously, although from loss of blood the baron was every moment becoming more weak; until a scaffolding, upon which were collected a vast throng of ladies and elderly gentlemen assembled to see the fight, broke down with a tremendous crash. The outcries and shrieks of the ladies, with limbs bruised and fractured, added to the general uproar, the bystanders not knowing whom they should first assist, — the combatants, who, sprawling on the ground, were still pummelling each other; or the affrighted ladies: while the relations and friends of the baron, perceiving that he was becoming more enfeebled, roared out, "*Throw sand in his eyes and mouth — sand — sand in his eyes and mouth!*"

which advice they dared not have given but for the interruption of the fall of the scaffolding; for the bystanders were not allowed to speak, move, or even blow their noses: the baron took the hint, and lost no time in seizing a handful of sand, and cramming it into the eyes and mouth of his opponent, who gave in, amidst the loud shouts of the spectators, some approving and others blaming the stratagem; the baron's friends asserted that his opponent had yielded, which his party as firmly denied; and had it not been for M. de Bouillon, the judge of the "field," both parties would have come to blows.

These barbarous ordeals and judicial combats were managed with great solemnity: the ground being selected, as we have seen in the last duel, a large fire was kindled, and a gallows erected for the accommodation of the vanquished; two seats, covered with black, were also prepared for the combatants, on which they received certain admonitions, and were made to enter into various obligations, such as to swear on the Holy Evangelists that they had not had recourse to any sorcery, witchcraft, or incantation. Each combatant selected his seconds, who were styled *parrains*, or *godfathers*, and who at first had no other duties to perform than to guard with vigilance the rights and privileges of their principals, but who were afterwards obliged either to support or to avenge their champion. This practice arose in

France, amongst the "*mignons*" of Henry III, in 1578, having been introduced from Italy.

These preliminaries settled, the champions were to take God, the Virgin Mary, and all the saints, more especially *Monsieur St. George, chevalier*, to witness that their cause was a just one, and that they would maintain it; having previously attended the celebration of mass, the forms of which are still to be found in certain old missals, where it is called *Missa pro duello.* The advantages of ground, wind, and sun, were then fairly divided; and, not unfrequently, sweetmeats and sugar-plums were distributed at the same time. The arms of the combatants were next measured; and, when they had taken their ground, the marshal of the "field" exclaimed "*Let go the good champions!*" During the fight no one was allowed to speak, to cough, spit, sneeze, blow his nose, or, in short, do anything that could possibly disturb the combatants, or communicate a preconcerted signal or advice.

The weapons admitted in these meetings were a double-edged straight sword, a cuirass, a buckler, and a lance when the combatants were mounted. *Villains* were only allowed to decide their differences with cudgels.

In the reign of St. Louis (1283), these combats not only took place between the principals, but were allowed between one of the parties and the witnesses of his opponent; and, in

the event of such witness being discomfited, his evidence was considered perjury. The latitude of impeaching an accusation went further; for the accused, found guilty upon evidence, could sometimes tell the judge that he had asserted a falsehood, in which case he was obliged to give him satisfaction sword in hand.

The form of denial was most eloquent:—"*Thou liest, and I am ready to defend my body against thine; and thou shalt either be a corpse or a recreant any hour of the day: and this is my gage.*" So saying, the appellant knelt, and presented a glove, or some other gage, to his accuser.

This privilege granted the accused, was, however, only allowed when the judge was not his lord or suzerain; in the which case, his presuming to doubt his judgment and hereditary wisdom was not deemed a felony; for, in other cases, as Desfontaines has it, "*Between thee, my lord, and thy villains, there is no other judge than God.*"

In certain cases of physical inability, and where women and the clergy were concerned, a battle by proxy was allowed; and regular bravoes, called *champions*, were employed,—a trade rather perilous, since their right hand was lopped off in the event of their being worsted, perhaps to encourage their companions to more zeal on the behalf of their clients, or more dexterity. The case of the principals was not much pleasanter;

for, while their champions were discussing the point, they were kept out of the lists with a rope round their necks, and the one who was beaten by proxy was forthwith hanged in person, although in certain cases they were indulged with decapitation.

A gentleman could call out a villain, but the villain had not the slightest right to demand satisfaction from his superior; therefore he had no other resource than an appeal to the trial of hot iron, and water boiling or cold, which was conducted in the following manner:

In the trial by hot iron, the defendant was obliged to hold a heated plate of iron for a certain time in his hand; his hand was then bandaged, and a seal affixed upon it. When this dressing was raised three days after, if any burn was apparent, his cause was lost. It appears that proxies with hands callous and fireproof were often procured for this operation.*

In the trial by hot water, the accused was ordered to withdraw a consecrated ring from a vessel filled with boiling water. In the ordeal of cold water, the patient was thrown into a pond with his hands and feet tied up. If he did not sink, his guilt was evident; inasmuch as, the water having previously received a priest's bless-

* The accused was also sometimes obliged to walk barefoot and blindfold over nine red-hot ploughshares, laid lengthwise at unequal distances.

ing in Latin, its refusal to receive the patient was a convincing proof of his unholiness and criminality.

There was another test of guilt, called the ordeal of the cross. The prisoner having declared his innocence upon oath, and appealed to the judgment, two sticks were prepared exactly like each other, and the figure of the cross was cut upon one of them; each of them was then wrapped up in wool, and placed upon a relic on the altar. After proper prayers, a priest took up one of the sticks; and, if it was the one that bore the sign of the cross, the accused was proclaimed innocent. There was another ordeal of the cross, resorted to in civil cases. The judges, parties, and all concerned, being assembled in a church, each of the parties chose a priest, the youngest and stoutest he could find, to be his representative in the trial. These representatives were then placed one on each side of some famed crucifix, and, a signal given, they both at once stretched their arms at full length, so as to form a cross with their bodies. In this painful posture they continued to stand while divine service was performing; and the party whose representative dropped his arm first, lost his cause. Under Charlemagne, this trial took place to settle litigations on account of children; but, under Louis le Debonnaire, it was confined to ecclesiastical disputes.

It is somewhat curious, that similar ordeals

have been practised by various nations in modern times, who, in all probability, never heard of these ancient absurdities. In the kingdom of Siam, both in criminal and in civil causes, the parties are made to swallow certain pills; and the one that is first affected is considered convicted. In Thibet the plaintiff and defendant are made to take out of a vessel filled with boiling water a black and a white counter; the one who has the good luck to draw the white prize is declared innocent, although both parties are generally so scalded as to be crippled for the remainder of their days.

It appears that the trial by ordeal was an ancient usage amongst the Hindoos, and continues to this day to be practised in nine different ways: 1, by the balance; 2, by fire; 3, by water; 4, by poison; 5, by cosha, or water in which an idol has been washed; 6, by rice; 7, by boiling oil; 8, by red-hot iron; and 9, by images.

1. The ordeal by *balance* is thus performed. The beams having been adjusted, the cord fixed, and both scales made perfectly even, the person accused and a Pundit fast a whole day. After the accused has been bathed in sacred water, the *horna*, or oblation, presented to the fire, and the deities worshiped, he is carefully weighed; and, when he is taken out of the scale, the Pundits prostrate themselves before it, pronounce a certain *mentra*, or incantation, agreeably to the Sastra; and, having written the substance of the accusation

on a piece of paper, bind it on his head. Six minutes after they place him again in the scale; and, if he weigh more than before, he is held guilty; if less, innocent; but, if exactly the same, he must be weighed a third time, when, as it is written in the *mitacshera*, there will certainly be a difference in his weight. Should the balance, though well fixed, break down, this circumstance would be considered as a damning proof of criminality.

2. In the *fire ordeal*, an excavation nine hands long, two spans broad, and one span deep, is made in the ground, and filled with a fire of pippal wood. Into this the person accused must walk bare-footed; and, if his foot be unhurt, they hold him guiltless.

3. The *water ordeal* is performed by causing the person accused to stand in a certain depth of water, either flowing or stagnant, sufficient to reach his middle; but care is taken that no ravenous animal be in it, and that it be not moved by much air. A Brachman is then directed to go into the water, holding a staff in his hand; and a soldier shoots three arrows on dry ground from a bow of cane. A man is then despatched to bring the arrow that has been shot the farthest; and, after he has taken it up, another is ordered to run from the edge of the water: at which instant, the person accused is told to grasp the foot, or the staff, of the Brachman, who stands near him in the water, and immediately to dive. He

must remain under water till the two men who went to fetch the arrows are returned; for, if he raise his head or body above the surface before the arrows are brought back, his guilt is considered as fully proved. A peculiar species of water ordeal prevails on the coast of Malabar: a person accused of any enormous crime is obliged to swim over a large river abounding with crocodiles, and, if he escapes unhurt, he is esteemed innocent.

4. The trials by *poison* are of two sorts. In the first, the Pundits having performed their horna, and the accused person his ablution, two *rettis* and a half, or seven barleycorns, of Vishanaga, a poisonous root, or of Sanc'hya, or white arsenic, are mixed in eight marhas of clarified butter, which the accused must eat from the hand of a Brachman. If the poison produce no effect, he is declared innocent.

In the second method, the hooded snake, called *naga*, is thrown into a deep earthen pot, into which is dropped a ring, coin, or seal. This the accused person is ordered to take out; and, if the serpent bite him, he is pronounced guilty.

5. In the trial by *cosha*, the accused is made to drink three draughts of the water in which the images of the Sun, Devi, and other deities have been washed for that purpose; and if within fourteen days he has any sickness or indisposition, his crime is considered as proved.

6. In the trial by *rice*, which is resorted to under accusation of theft, some dry rice is weighed with the sacred stone called *salgram*, or certain *slocas* are read over it; after which the suspected persons are severally ordered to chew a quantity of it. As soon as they have chewed it, they are to throw it on some leaves of the *pippal*, or, if none be at hand, on some *B'hurja patra*, or bark of a tree from Nipal or Cashmere. The man from whose mouth the rice comes dry, or stained with blood, is holden guilty.

7. In the ordeal by *hot oil*, the ground appointed for the trial is cleared, and rubbed with cow-dung; the next day, at sun-rise, the Pundit worships *Ganesa*, or the Hindoo *Janus;* presents his oblations, and pays adoration to other deities, conformably to the *Sastra*. Then, having read the incantations prescribed, he places a covered pan of gold, silver, copper, iron, or clay, sixteen fingers broad, and four fingers deep, and throws into it one *S'ér* or eighty sicca weight of clarified butter or oil of seramurz. After this a ring of gold, silver, or iron, is cleaned, washed with water, and cast into the oil, which they proceed to heat, and, when it is very hot, put into it a fresh leaf of *pippela* or of *bilna*. When the leaf is burned, the oil is known to be sufficiently hot. Then, having pronounced a *metra* over the oil, they order the accused to take out the ring; and if he withdraw it without being burnt, or

without a blister on his hand, his innocence is considered evident.

8. In the *red-hot iron* trial, an iron ball, or the head of a spear red-hot, is placed on the hand of the accused.

9. To perform the ordeal by *Dharm'anch*, an image named *Dharma*, as the genius of justice, is made of silver, and another called *Adharma*, of clay or iron, both of which are thrown into a large earthen jar; the accused, having thrust his hand into it, is acquitted if he draw forth the silver image, but condemned if he bring out the iron. In another form of this trial, the figure of a deity is painted on white cloth, and another on black; the first of which is named Dharma, and the second Adharma. These are severally rolled up in cow-dung, and thrown into a large jar, without having been shown to the accused, who must put his hand into the jar, and is acquitted or convicted as he draws out the figure on the white or black cloth.

A strange and poetical method of deciding a quarrel is said to be adopted in Greenland: each of the parties is obliged to sing in public a satirical attack against his opponent, and the production which is considered the most virulent, or which excites the most mirth, is deemed conclusive.

The practice of ordeals may be traced to the remotest antiquity. In Sicily, near the temples

of the Palici, were two pools of sulphureous water, supposed to have sprung from the earth when these deities were born; the most solemn oaths were taken near these springs by those who had quarrels to decide. These oaths being inscribed were thrown into the mystic waters; if they floated upon the surface, innocence was proved, and the perjured was instantly punished in some supernatural manner. When both their tests remained buoyant, the oracle was to decide, and the altars of the Palici were constantly polluted by human sacrifices.

Amongst the Jews, women accused of adultery were obliged to drink water in which ashes had been mixed. Grotius mentions many instances of *water ordeal* in Bithynia, Sardinia, and other countries.

These ordeals were distinguished into the *Judicium Dei*, or judgment of God, and the *Vulgaris Purgatio.*

The first account we have of the appeal to the *fire ordeal* as a proof of innocence, is that of Simplicius bishop of Autun, in the fourth century. This prelate, as the story is related, before his promotion to the episcopal dignity, had married a wife, whom he fondly loved, but who, being unwilling to leave him after his clerical preferment, continued to sleep in the same chamber with him. The sanctity of Simplicius suffered materially, at least on the score of fame, by the

constancy of his wife's affection; and it was rumoured that the holy man, though a bishop, persisted, in opposition to the canonical laws, to taste the sweets of matrimony. Upon which his wife, in the presence of a great concourse of people, took up a considerable quantity of burning coals, which she applied to her breast, without the least hurt to her person or garments. It is needless to add that this was a sufficient proof of her husband's innocence. In the fifth century, St. Brice went through the same trial on a similar occasion.

The ordeal of hot water was resorted to by Lothair the husband of Teutberge, daughter of a duke of Burgundy, who was accused of incest with her brother, a monk and deacon; for the which he sought a dissolution of his marriage, that he might wed his mistress Valrade. The poor Queen immediately justified herself by proxy, getting her attorney-general to draw out a blessed ring from a kettle of hot water; but the obdurate King swore that her champion had recourse to witchcraft or cunning, and was possessed of some secret that rendered him proof against hot water. Others, however, were not so incredulous; and her innocence was proclaimed as having been confirmed by a Divine judgment, although it appears that the Queen had confessed her guilt to her confessor. To decide therefore between a supposed Divine judgment

and an admission of her offence became a matter of such a ticklish nature, that it was very properly submitted to the consideration of two ecclesiastical councils, who thereupon pronounced a divorce.

Howbeit, Pope Nicholas I, who of course must have known more of the business than any other earthly power, annulled the decision, and excommunicated and anathematized Goutier, the archbishop of Cologne, who had had the impudence to advocate the divorce; but this refractory prelate's subsequent conduct showed his criminality, for he thus animadverts on the pontiff's act: "Although our lord, Nicholas, whom people call Pope, has thought proper to excommunicate us, we defy his nonsense." Then, having the presumption to address his holiness personally, he adds: "And let me tell you, we will not receive your cursed sentence—we despise it; we fling you from our communion, being perfectly satisfied with that of our bishops and our brethren, whom you affect to despise."

This insolent message was carried to Rome by a brother of the archbishop, who, sword in hand, laid the protestation on the very sepulchre that, according to tradition, contains the remains of St. Peter. Nevertheless, the pontiff being succeeded by Adrian II, the doughty archbishop thought it more prudent to submit to the power of the Vatican; and therefore, despite his bro-

ther's gasconading over St. Peter's sepulchre, addressed the supreme head of the church in the following highly decorous and respectful language:

"I declare before God and all the saints, more especially to you, my lord, Adrian, sovereign pontiff, and to all the bishops that are submitted to your authority, as well as to the Omnipresent, that I humbly submit myself to the excommunication and dismissal canonically inflicted upon me by Pope Nicholas," &c. &c.

Adrian, thus satisfied, forthwith excommunicates Lothair's second wife, and orders that prince immediately to take back his former spouse. Of course, all Europe was in a state of commotion. The Emperor, Louis II, uncle of Lothair, takes his part against Pope Adrian, whom he dares to threaten with an invasion; and all Italy is in a state of alarm. Queen Teutberge sets off for Rome, so does Valrade her rival, Lothair's second wife and his ex-mistress; but her conscience did not allow her to pursue her journey, and her excommunicated husband was obliged to repair to Rome to ask the Pope's pardon, not from any apprehension of his holiness, but the fear of his uncle, surnamed the *Bald*, who espoused the pontiff's cause, put his threat into execution, and stripped his Majesty of the kingdom of Lorraine.

It appears that Adrian II. was a very fas-

tidious and punctilious man, and he would not receive Lothair back into the bosom of the church, despite his most abject excuses, until he swore to him that, since his predecessor Nicholas had thought proper to order him not to keep up any further connexion with Valrade, he had in every sense of the injunction, both in letter and spirit, obeyed the order. To this, Lothair swore most religiously; and, having done so, he was re-admitted into the pale, and shortly after died. Historians agree, and there can be no doubt on the subject, that his death was the just punishment of his perjury ; what confirmed the fact was, the circumstance that all his followers who had taken a similar oath (although it is somewhat curious to know how they could have obtained any satisfactory information on so delicate a subject) died in the course of the same year.

CHAPTER IV.

CELEBRATED JUDICIAL DUELS.

Ancient chronicles have transmitted to us several curious duels that have taken place, for the purpose of deciding the justice of a cause by recourse to arms, and maintaining by the sword whatever the lips had asserted.

The combat that took place in 1371 between Macaire and the dog of Montargis has been too frequently related and dramatized to need a repetition. Charles V. was present at the meeting, which took place in the Isle Notre Dame, in Paris; and Macaire, who was conquered by the faithful companion of Aubry de Montdidier, was duly hanged. Montfaucon, in his erudite work, has given an engraving of this event, taken from a painting preserved in the castle of Montargis.

In 590, Gontran, King of Burgundy, was hunting in the royal forest of the Vosges, when he found the remains of a stag which had been killed by some poacher. The game-keeper accused Cherndon the king's chamberlain, who, being confronted with his accuser, stoutly denied the charge. Gontran immediately ordered a combat.

Engraved by Ridley

CHARLES V

From the Original by Titian in the Palace at Madrid

A nephew of the chamberlain was his champion; and in the conflict the game-keeper received a wound from his lance, which pierced his foot: having fallen from the severity of the injury, his antagonist rushed upon him to despatch him, when the prostrate man drew out a knife and ripped up his antagonist's belly. The two combatants remained on the field, and Cherndon endeavoured to seek refuge in the church of St. Marcel; but Gontran ordered him to be seized and stoned to death.

A curious trial by battle took place in 626. Queen Gundeberge, the consort of Rharvald King of Lombardy, as much admired for her beauty and talents as her unimpeachable virtue, had thought it expedient to drive from her court a certain gossiping slanderous fellow of the name of Adalulf, who, it appears, had presumed to make some base proposal to her majesty. Adalulf forthwith, in a fit of revenge, hastened to the King, and informed him that the sharer of his bed had entered into a plot to poison him, and to marry the Duke Tason her paramour. The indignant Rharvald, without further inquiry, banishes the accused from his presence, and immures her in a castle, although she was nearly related to the Kings of the Francs. An emissary of Clotaire, however, indignant at the usage the Queen had received, urged the monarch to order a judicial contest; and Adalulf was therefore

commanded to prepare himself to meet a cousin of the unfortunate Queen, of the name of Pithon, who having cut Adalulf's throat, the innocence of Gundeberge was made manifest, to the entire satisfaction not only of her royal husband, but of all the gossips of the court of Burgundy. It was in consequence of this favourable and satisfactory result, that Grunvalt, in 668, made some alteration in the laws, by which it was enacted that ladies placed in a similar situation should enjoy the faculty of selecting their own champions.

Brantôme relates a case somewhat similar. Ingelgerius, Count of Gastonois, having been found dead one morning by the side of his wife, a relation of his, named Gontran, not only accused her of murder, but of adultery, offering to substantiate the accusation in person. No one coming forward to defend the afflicted lady, the young Count of Anjou, Ingelgerius, her godson, to whom she had very kindly given her husband's name, presented himself. The youth, who was only in his sixteenth year, was as anxious to defend his godmother as Cherubino could have been to defend the Countess Almaviva; and having very properly and devoutly attended mass, recommended himself to the Divine protection, distributed alms, and secured himself by carrying with him the symbol of the cross, he hastened to the lists, where he found his antagonist prepared to receive

him. The countess having duly sworn both parties, the combatants rushed upon each other. The onset of Gontran was so fierce that his lance bent in the breast-plate of the youthful hero, who forthwith, no ways discouraged by the shock, ran his own through his antagonist's body: the conqueror nimbly jumped off his horse, and most dexterously severed the slanderer's head from his base body, and laid it at the feet of his sovereign. It is needless to add, that, the countess's innocence being thus made manifest, she fondly embraced her liberator, who, on the following day, was promoted to high titles and estates.

The rules and regulations were not only frequently drawn out by the clergy, but ecclesiastics themselves were not always exempted from liability to a trial by battle. Thus we see in the charter of the abbey of St. Maur des Fossés, granted by Louis le Gros, that they possessed *bellandi et certificandi licentiam.*

It is recorded, in the annals of St. Bertin, that the superior of his abbey in the village of Caumont near Hesdin had to defend certain rights in the field: the abbot of St. Bertin did not make his appearance; but two snow-white doves appeared coming from the Saint himself, and were seen hovering and fluttering over the field. The champion felt so emboldened by this miracle, that he rushed upon his antagonist, and substantiated the claim of the abbey by giving an un-

merciful cudgelling to his opponent. In like manner, Geoffroi du Marne, bishop of Angers, ordered certain of his monks to determine their right to tithes by a similar process.

The trials or ordeals by fire and water were not always conclusive; for, in 1103, we find that one Luitprant, a Milanese priest, having accused his archbishop of simony, offered to make good his charge by walking through a fire; a feat which he performed to the amazement of all. However, as the accused was a prelate of distinction, the Pope absolved him, and very properly banished his impertinent accuser, who indeed, if strict justice had been done, ought to have been burnt alive as a wizard.

Our William of Normandy would not allow clerks to fight without due permission from their diocesan: "*Si clericus duellum sine episcopi licentiâ susceperit*," *&c.*

We have abundant authority to show that priests were very frequently expert fencing-masters, and as chaplains of the army were especially celebrated for their skill.

A singular trial by battle took place at Toledo, in 1085, to decide whether the Roman or the Muzarabic ritual was to be observed in the celebration of mass. Two champions were selected. Don Ruiz de Mastanza, the Muzarabic knight, unhorsed his adversary and killed him. But the Queen, who had a particular predilection for the

trial by fire, insisted that it should be resorted to: now, as it was contrary to the laws of chivalry that the conquering knight should be sent to the stake, a copy of each liturgy was thrown into the fire; when, as it appears that both of them were consumed, the King decided that in certain churches and chapels prayers should be put up according to the Muzarabic ritual, and in others in conformity with the Roman.—The Muzarabic chapel, a most curious monument, may to this day be seen in the cathedral of Toledo.

Not only did the clergy order that these judicial battles should take place, but many instances are on record where they were instituted by several French parliaments. Under Philip de Valois, the parliament decreed that two knights, Dubon and Vernon, should endeavour to cut each other's throats; the latter having asserted that the former had bewitched his sovereign. The same learned body ordered a man of the name of Carrouge to fight another man of the name of Legris, to prove to the satisfaction of the public that he had committed an act of violence towards Carrouge's wife. Carrouge must have been right, for Legris was killed; though, according to President Henault, his innocence was afterwards fully substantiated by his accuser's confession upon his death-bed. In another instance, a knight, by name Jean Picart, who was accused of an in-

cestuous intercourse with his daughter, was directed to fight her husband.

The frequency of these duels induced several monarchs to issue various edicts. In 1041 was issued one called the *Saviour's truce*, in which duels were prohibited from Wednesdays to Mondays, these days having been consecrated by our Saviour's passion. In 1167, the King prohibited all duels upon claims that did not exceed twopence halfpenny. In 1256, causes of adultery were to be brought to this issue; while, in 1324, it was enjoined in cases of rape and poisoning. In 1145, the provost of Bourges was instructed to call out all persons who did not obey his orders.

In the reign of Henry II. the celebrated judicial duel (for such it might be considered) between Jarnac and De La Chasteneraye took place under very peculiar circumstances, carefully extracted from ancient chronicles by Cockburn, who gives us the following interesting account, most descriptive of the brutal manners of those chivalrous days.—"The persons were the Lords of Chasteneraye and of Jarnac, who were both neighbours and kinsmen. The first had said to Francis I. that the other was maintained so plentifully by his mother-in-law, with whom he had unlawful conversation. The King told this to Jarnac, for whom he had a great affection. Upon which Jarnac said to the King,

that Chasteneraye had lied to him : but he not only maintaining what he had said, but adding that Jarnac had divers times owned it to himself, Jarnac did earnestly supplicate the King that the truth might be tried by combat; which Francis I. first granted, but afterwards recalled.

"Upon his death, an earnest supplication was made to his successor, Henry II. who, with the advice of his council, not only allowed, but appointed it at St. Germain-en-Laye, on the 10th July 1547, when the King, the whole court, the constable, admiral, and marshals of France being present, the two parties were brought before the King, attended by their several friends and trumpets, when each took the usual oaths. After this they were led to their several pavilions, where they were dressed for the combat, each having a friend and a confidant in the other's pavilion while this was doing. It is said that Jarnac was but newly recovered of a sickness, and that he whispered to a friend, if he did not trust to the goodness of his cause, he should fear the acting of the part of a poltroon. When all the usual preamble of the ceremonies was over, they were called out by the King's trumpet, and by his herald commanded to end their difference by combat. Chasteneraye was observed to brave it with some insolence; but Jarnac carried it modestly and humbly.

"Each attacked the other with great vigour;

and, after several strokes and trifling wounds on both sides, while Chasteneraye was making a pass at Jarnac, he fetched a stroke which cut the ham of Chasteneraye's left leg, and presently redoubling his stroke, cut also the ham on the right:* upon which Chasteneraye fell to the ground, and the other ran up to him, telling him that now his life was at his discretion, yet he would spare it *if he would restore him his honour, and acknowledge his offence to God and the King.* Chasteneraye answering nothing, Jarnac turned to the King, and, kneeling down, prayed *that now he might be so happy as to be esteemed by him a man of honour; and, seeing his honour was restored, he would make his majesty a present of the other's life, desiring his offence might be pardoned, and never more imputed to him or his, being the inconsiderate act of youth:*† to which the King made no answer. The former returned to his antagonist, and finding him still upon the ground, lifted up his face and hands to Heaven, and said, *Lord, I am not worthy; not to me, but unto thy name be thanks!* having said this, he prayed Chasteneraye to confess his error: but, instead of this, the latter raised himself on his knee, and, having a sword and buckler in his hand, offered a pass at

* This cut of the sabre is to this day called *coup de Jarnac.*

† The expressions quoted by the chronicler were affecting beyond translation. *Sire je vous le donne—prenez-le pour Dieu! et l'amour que vous l'avez nourri;* but the romantic monarch was deaf to the entreaty!

Jarnac, who told him that if he offered to resist any more he would kill him, and the other bid him do it; without, however, doing him any harm, Jarnac made a second humble address to the King to accept of Chasteneraye's life, to which the King made no manner of reply.

"Whereupon Jarnac coming back to his antagonist, who was lying stretched out upon the ground, his sword out of his hand, and his dagger out of its sheath, he accosted him with the fair words of *old friend and companion, entreated him to remember his Creator, and to let them become friends again.* But he attempting to turn himself without the signs of repentance and submission, Jarnac took away his sword and dagger, and laid them at the King's feet, with repeated supplications to interpose for Chasteneraye's life; which the King at last *was advised to do,* and ordered some of the great officers to go to him, and surgeons to take care of his life; but he would not suffer his wounds to be dressed, being wearied of life because of his disgrace, and so died in a little time through the loss of blood. It being told the King that, according to custom, Jarnac should be carried in triumph, Jarnac protested against it, saying that he affected no ostentation or vain-glory, that he had been only desirous to have his honour restored, and was contented with that; upon which the King made him this compliment, that he *fought like Cæsar, and spoke*

like Aristotle. Yet the King's inclinations were towards Chasteneraye. The poor lady, Jarnac's mother-in-law, whose honour was at stake too, was all the while at St. Cloud, fasting and praying, and waiting impatiently the issue of this purgation of her innocency."

Chasteneraye was considered the first swordsman in France, and he certainly did display in this transaction a singular mixture of vanity and brutality. Brantôme, who was a nephew of Chasteneraye, endeavours to show that there was foul play in this meeting, and that Jarnac wore a *brassart* without joint, by which means the buckler was held with greater security; at the same time, he states that Chasteneraye's right arm was still weak from a wound he had received at Conys, in Piedmont. Howbeit, this unfortunate young man, who was only in his twenty-eighth year, was considered such an expert fencer and wrestler, that several duels were fought when a report of this fatal duel had been spread abroad, as his partisans would not admit the possibility of his succumbing before any other combatant: his dexterity in wrestling was so great, that Jarnac, to avoid the chances of a struggle, had insisted that both parties should wear two daggers.

By way of retribution, the monarch expressed his royal pleasure that no further duels should be allowed: indeed, this duel may be considered the last judicial one that has been recorded

HONORE D'ALBERT S^gr DE LUYNES.
Chev^er de lordre du Roy Chambellan du Duc d'Alençon,
Gouv^r de Beaucaire, Chaleau Dauphin, pont S^t Esprit Bourg S^t
Andeol et de Boulenne, Colonel des Bandes Françoises, Surin-
tendant et Commandant General de l'Artillerie en Languedoc
et en Provence, mort en 1592.

in France; although Charles IX. did authorize a combat between Albert de Luignes, who had been accused of treasonable practices by Panier, a captain in the guards. The parties fought in presence of the King and his court, in the wood of Vincennes: Panier inflicted a severe wound on the head of his opponent, who fell upon his knee; his seconds ran to his rescue; but Luignes, recovering himself, gave him a mortal thrust through the body. Nor was this the only instance where this weak and savage prince had recourse to the swords of others to rid himself of an enemy; he employed a famed bravo of the name of Maugerel to fight for him, who was therefore called *the King's Killer;* and it is well known that he instructed Villequen to seek a quarrel with Lignerolles, the favourite and confidant of the Duke d'Anjou, while they were out hunting, on which occasion Lignerolles was killed.

While such was the practice in France, and other parts of the continent of Europe, England was not exempt from similar scenes of cruelty and superstition, and it was only during the reign of our Henry III. that the trial by ordeal, or ordaly, was abolished, in 1219: for, although several historians have doubted the fact, there is great reason to believe, from the barbarous customs of the times, that Edward the Confessor did actually compel Emma, the Queen Dowager, to the ordeal of the heated ploughshares, on the charge of her

having participated in the murder of Alfred, besides having been guilty of a criminal intercourse with the Bishop of Winchester; the prelate very wisely refused to submit himself to a similar trial, by producing a letter written by Pope Stephen VI. to the Archbishop of Mayence in 887, in which he prohibited such practices.

The personal combat that is said to have taken place between Edmund Ironside and Canute, near Gloucester, appears to be a fabulous tradition, although the following account of it has been chronicled: "Edmund had the advantage of stature and of strength, but Canute possessed most address and activity. The conflict which took place in the presence of both their armies, was long and doubtful, until the Dane, beginning to lose ground, proposed an amicable settlement of their differences, thus addressing his adversary: 'Valiant prince, have we not fought for a sufficient length of time to prove our courage? Let us therefore show proofs of our moderation; and, since we have equally shared the sun and the honour of this day, let us quit the field of battle and share the kingdom.'" This is evidently a fiction of romance, although there is some reason to believe that a challenge might have passed between them. We may view with similar hesitation of belief other no less chivalric relations of that important battle, in which it is stated that Edwi having cut off the head of one Osmer, whose countenance bore a

strong resemblance to that of Edmund, had it carried on a spear, calling out to the English that their sovereign was no more; when Edmund, observing the consternation of his troops, took off his helmet to prove the error under which they laboured. It appears more probable that both these princes were compelled to enter into an amicable treaty by their own nobility and their troops, when Canute reserved to himself the northern division, and Edmund retained the sovereignty of the southern provinces.

Doubting the truth of this hostile personal meeting, several writers, amongst others Selden, maintain that duels were not known in England until the Norman invasion, when it is recorded that William sent a message by certain monks to Harold, requiring him either to resign the kingdom, submit their cause to the arbitration of the Pope, or fight him in single combat, to which Harold replied, that the God of battles would soon be the arbiter of their differences.

It has been observed, that, had the practice of duelling on such occasions been prevalent, the English chief could not, consistently with the laws of honour as then understood, have refused the challenge. It is, moreover, certain that at this period single combats were common in Normandy and other provinces in France; and what renders it probable that duelling, to ascertain rights maintained by the trial of combat,

was introduced on the Norman accession, was the entrance of a champion in the ceremonial of the coronation, to this day preserved, who, casting down the gauntlet of defiance, declares himself ready to meet any one who dares contest the sovereign's right to the throne, and originally to the dukedom of Normandy.

Prior to the Norman conquest we have no record of any duel or trial by battle, although the Anglo-Saxon laws were framed to prevent private quarrels and acts of vindictive violence. The law of Alfred enjoined, that if any one knows that his aggressor, after doing him an injury, is determined to keep within his own house, or on his own lands, he shall not fight him till he require compensation for the injury. If he be strong enough to besiege him in his house, he may do it for seven days; and, if the aggressor is willing during that time to surrender himself and his arms, his adversary may detain him thirty days, but is afterwards obliged to restore him safe to his kindred, and be contented with the *compensation;* but, if he refuses to deliver up his arms, it is then lawful to fight him. A slave might fight in his master's quarrel; a father might fight in his son's, with any one except with his master.

King Edmund, moreover, in the preamble to his laws, alluded to the multiplicity of private feuds and battles, established various enactments

to check the evil; and regulated certain compensations for the loss of life, without any distinction between murder and manslaughter: every head had its price, from the king's, that was valued at 30,000 thrimsas, considered to be about 1,300*l.* to that of a ceorle, or husbandman, 266; in this tariff, an archbishop's head was rated at a much higher value than a monarch's.

The price of all wounds and injuries was also regulated: a wound of an inch long under the hair, one shilling; one of a like size in the face, two shillings; the loss of an ear, thirty shillings; and, according to the rare code of Ethelbert, any one who committed adultery with another man's wife was obliged to buy him a new one.

This commutation for crimes appears to have been universal in ancient times. Blackstone informs us that in Ireland, by the *Brehon* laws, a murderer was obliged to give the surviving relatives of the slain a recompense, called Eviach. In Homer we have the same practice during the Trojan war; Nestor in his speech to Achilles thus addressing him:—

> If a brother bleed,
> On just atonement we remit the deed:
> A sire the slaughter of his son forgives:
> The price of blood discharged, the murderer lives.

And again, in the 18th book of the Iliad, in the description of Achilles's shield:—

> There in the Forum swarms a numerous train,—
> The subject of debate, a townsman slain ;
> One pleads the fine discharged, which one denied,
> And bade the public and the law decide.

The most curious part of this law of compensation was the weighing the value of a witness:—a man whose life was worth one hundred and twenty shillings counterbalanced six labourers, the life of each being estimated at twenty shillings; his oath was therefore considered equivalent to that of all the six.

These laws descended from the Germans, who, with the exception of the Frisians, sought to check the natural propensity of the people to acts of bloodthirsty revenge: thus we find, that if any man called another *pare*, or accused him of having lost his shield in battle, he had to pay a heavy fine; according to the laws of the Lombards, if a man called another *arga*, or "good for nothing," he had a right to demand immediate satisfaction by arms.

These compensations and fines were called a *fredum*. For the proofs of guilt, ordeals similar to those described as having existed in France and other countries on the continent of Europe, were adopted in England: one of them, which was abolished in France by Louis le Debonnaire as impious, long prevailed amongst us,—the decision of the *cross*.

The compurgators were to be freemen, and

relations or neighbours of the accused, who upon their oath corroborated what he had asserted. It appears that in some cases the concurrence of no less than three hundred of these auxiliary witnesses was required. As men who are capable of disregarding truth are not deterred by the solemnity of an oath, this system of compurgation was found to be fraught with such flagrant iniquity, that appeals to Heaven were considered more effectual in ascertaining guilt or innocence.

The trials by hot iron and water were similar to those already described. In addition to these *ordalies* was the trial by the consecrated bread and cheese, or *Corsned*, commonly appealed to by the clergy when they were accused of any crime, and adopted by them, since it was not attended with danger or inconvenience. This ordeal was performed in the following manner:—A piece of barley-bread and a piece of cheese were consecrated; and prayers were then put up, to supplicate that God would send his angel Gabriel to stop the gullet of the priest, so that he might not be able to swallow the sacred bread and cheese, if he were guilty. This ceremony being concluded, the accused approached the altar, and took up the testing food: if he swallowed freely, he was declared innocent; if, on the contrary, it stuck in his throat, (which we may presume was rarely the case,) he was pronounced guilty. Our historians assert that Godwin Earl of Kent, in the reign

of Edward the Confessor, abjuring the death of the King's brother, at last appealed to the Corsned, "*per buccellam deglutiendam abjuravit*," which stuck in his throat and killed him.

Whether, in the settlement of feuds, pecuniary compensation was deemed more satisfactory than the adversary's blood, it is not an easy matter to decide; but certain it is, that duels do not appear, until the period alluded to, to have been as frequent in England as upon the Continent. Good cheer, and good horses, seem to have been considered as equivalent to cash: we find in our history a woman giving two hundred fat hens to the sovereign for permission to spend one night in prison with her husband, and bringing the monarch one hundreds fowls on account; while another unlucky wight gave five of his best palfreys to his sovereign lord the King to induce him to be silent regarding a *faux pas* of his wife. But, once established, it appears that trials by battle prevailed in England for a longer period than in any other country.

In 1096, William Count d'Eu, having been accused of a conspiracy against William Rufus by Godefroi Baynard, engaged him in single combat at Salisbury, in presence of the King and the whole court: the unfortunate count, having been worsted, was forthwith ordered to be emasculated, after both his eyes had been put out; his esquire at the same time whipped, and then

hanged. *Jussuque ideò Regis et concilii, ejiciuntur illi oculi testiculique abscinduntur ; dapifero suo Willielmo de Aldori, filio amitæ ejus, sæviter flagellato et suspenso.*

On Henr II.'s invasion of Wales, Henry de Essex, the hereditary standard-bearer, having been accused of felony by Robert de Montfort, his own relation, for dropping the standard on the field of battle and taking to flight, exclaiming that the King was killed, the parties met in single combat near Reading Abbey, where Essex was left for dead upon the field. However, upon his body being borne to the abbey, the monks perceived some traces of life ; and, instead of his being hanged according to custom, the brethren of the monastery recovered him ; but, as he was considered *morally* dead, he spent the remainder of his days in their holy cloisters.

From the time of William of Normandy, until that of Henry II, trial by single combat was the only honourable mode of decision of battle of right, until the alternative of the grand assizes, or the trial by jury, was instituted by the latter sovereign.

When the tenant in a writ of right pleaded the general issue, and offered to decide the cause by the body of a champion, a piece of ground was selected sixty feet square, inclosed with lists, and on one side a court was erected for the accommodation of the judges of the court

of Common Pleas, who attended there in their scarlet robes: a bar was also prepared for the sergeants learned in law. When the court sat, which was before sun-rising, proclamation was made for both parties and their champions: the latter were introduced by two knights, and were dressed in a coat of mail, with red sandals, bare-legged from the knee downwards, bare-headed, and with arms bare to the elbows. The weapons allowed them were batons, or staves of an ell long, and a four-cornered leathern target, so that death very seldom ensued from these civil combats. In the court military, however, they fought with sword and lance.

When the champions thus armed arrived within the lists, or place of combat, the champion of the tenant took his adversary by the hand, and made oath that the tenement in dispute was not the right of the demandant; the champion of the demandant of course took a contrary oath. Another oath was then taken against sorcery and enchantment, in the following form:

"Hear this, ye justices, that I have neither eaten, drunk, nor have I upon me either bone, stone, or grass, — no enchantment, sorcery, or witchcraft, whereby the law of God may be abased, or the law of the devil exalted; so help me God and his saints!"

The battle then began, and the combatants were bound to fight till the stars appeared in

the evening; and, if the champion of the tenant could defend himself till the stars appeared, the tenant prevailed in his cause, and the vanquished was proclaimed a *Craven:* a degradation of the highest importance; for when a champion had once admitted that he was "*Craven,*" or one who craves for mercy, he ceased to be a freeman —*liber et legalis homo,* and, having been proved forsworn, was no longer eligible as a juryman, or in any manner entitled to belief or respect.

In appeals of felony, the parties were obliged to fight in their proper persons, unless the appellant were a woman, a priest, or an infant,—of the age of sixty, lame, or blind; in either which cases, he or she counter-pleaded, and threw themselves upon the country. Peers of the realm could not be challenged to wage battle; nor the citizens of London, it being specified in their charter that fighting was foreign to their education and employment.

In regard to trial by battle in civil cases, the mystic appeal to the judgment of God at this period was abandoned, and the institution of chivalry gave to personal combats a character totally different.

CHAPTER V.

INSTITUTION OF CHIVALRY AND DUELS.

Mistaken views of religion no longer presided over bloodshed, and priests found that they gradually lost the power of controlling the unruly by their simple commands; it therefore became necessary that their influence over those who could support their power by arms should be of a more permanent and efficacious nature. Youth, upon whose future courage and energies they could depend, were now enrolled in an instituted body; and the assumption of arms, so soon as they were able to wield them, became a solemn religious rite: until they could don their armour, they were clad in white, like clerical neophytes; and, as Scott truly observes, "the investiture of chivalry was brought to resemble, as near as possible, the administration of the sacraments of the church."

Still this combination of religious and military zeal was not considered sufficient to lead a man to risk his life blindly, and the art and the all-powerful aid of woman were invoked.

Gallantry now presided over deeds of arms; which, to use the words of Montesquieu, was not love, but its light, delicate, and perpetual errors.

An ingenious writer, C. Moore, has described the origin of chivalric laws and customs in the following passage:—"War, and the single combat, were still the ruling passions of the soul; and whatever improvement had militated against these favourite and ferocious ideas would have been treated with the utmost contempt and indignation. Some, however, whose minds were more enlightened, endeavoured to turn this torrent of courage and military violence upon itself, and to the correction of its own abuses. They formed themselves into martial societies for the relief of injured innocence and distressed virtue; for the redress of all oppressions and grievances; for the protection of the weak and defenceless, particularly of the fair sex; for the correction of abuses, and the general promotion of the public utility and safety. But, in compliance with the strong prejudices of the times, all was still to be determined by the sword, and by feats of personal valour. Such was the introduction of chivalry and knight-errantry."

For the honour of mankind, desirable indeed would it have been if chivalry had been carried on upon such philanthropic grounds, however barbarous might have been the means re-

sorted to in the furtherance of its ends: it is more probable that it was the result of growing civilization, with its concomitant pride, pomp, and circumstance. When love, being associated with religion, shed a halo over the knight's proud helm, the spirit of chivalry withdrew its advocates from the trammels of judicial courts; and, although the hostile meetings of contending knights, might not have been considered an ordeal to obtain the judgment of God, the vanity arising from the renown of personal prowess and superiority in war and in love rendered its champions regardless of those fine and delicate feelings to which their institution has been attributed. It is true that, the courtesy and rising polish of society being added to religious zeal and blind superstition, this combination tended to soften down the rude relics of former ferocity, and to combine courage with humanity, introducing as far as was practicable the courtesies of peace into scenes of strife; and such we may well imagine may have been the results of such an institution when woman became associated with all its bearings. Education became more gentle, and, ere the *accolade* of knighthood was conferred, the candidate to the honour had passed through the gradation of page and squire; first the follower of woman, a blind adorer and slave, then the attendant on his leader in the chase or the battle-field.

As civilization progressed, the rude customs of barbarous nations must have gradually sunk into disrepute; and war, which had once been a necessity in defence of person and property, now became only an honourable profession.

While we admit, with Scott, that the tenets of chivalry were exalted and enthusiastic, we cannot but consider that many acts of exaltation and enthusiasm, among the most illustrious, were little short of mental aberration, qualifying the heroic champion for the lunatic asylum, rather than the courts of sovereigns; and I think that we may consider many of our modern honourable institutions, which are traced to chivalry, more as the effect of gradual intellectual improvement than of the frolics of knight-errantry, however honourable they may have appeared in theory. No one can pretend to deny that Don Quixote's ideas of honour were as correct as they were punctilious.

It is unfortunate that romance has so distorted human actions as to shed lustre upon deeds which ought to have been veiled in everlasting obscurity for the honour of mankind. It is owing to these fatal illusions, that, to the present hour, the chimerical word *Honour* leads the enthusiast or the slave of society's prejudiced views to the commission of criminal acts, and adapts its supposed laws and dictates to the Procrustean standard of the "world's" opinion.

Previous to the institution of chivalry, fighting became necessary for individual protection; but knighthood rendered it a fashionable accomplishment, and, as real injuries were not likely to occur every day, artificial grievances were created, and tilts and tournaments became the constant sports of the day. John, Duke of Bourbon, being overcome, no doubt, with *ennui*, offered to go over to England with sixteen knights, to avoid idleness, and further, to merit the good graces of his mistress; and it is clear that this noble institution, as it is called, greatly increased duelling instead of checking its barbarity, while, by rendering it a polite accomplishment, it has transmitted down to posterity a detestable heir-loom of barbarous times.

Not only were knights obliged to fight their own battles, but they were bound to espouse the disputes of others, and volunteer fighting whenever a "good quarrel" could be established.

It is to chivalry, introduced in the train of the Norman conquerors, that England owed its first degradation. Chivalry deluged Italy in blood, and rendered Spain a by-word of ferocity and madness. The desperate pranks of the lunatic Crusaders were the deeds of monomaniacs let loose by popery: Scott has truly said, that "the genius alike of the age and of the order tended to render the zeal of the professors of chivalry fierce, burning, and intolerant." "If an infidel,"

says a great authority, "impugn the doctrine of the Christian faith before a churchman, he should reply by argument; but a knight should render no other reason to the infidel than six inches of his falchion thrust into his accursed bowels." The massacre of the Albigenses was one of the proud results of this noble institution!

Debased by superstition and priestcraft, knighthood became instrumental to every ambition, clerical or military: the hand of Heaven was seen guiding every gleaming falchion; the saints were seen hovering over the battle-field; and Froissart tells us that a black cur, which was always barking when the infidels approached the Christian camp, was called by the whole army *the dog of Our Lady*. If such were the public evils that arose from chivalric institutions, how much more fearful was their influence in society when we find Francis I, who certainly respected the faith of engagements as conveniently as expediency could dictate, laid down as a principle of honour, which prevails to this very day, *That the lie was never to be put up with without satisfaction, but by a base-born fellow!* For fear of any possible mistake, lies were divided into thirty-two categories, with their corresponding degree of satisfaction. In a succeeding chapter I shall endeavour to show that most edicts promulgated to check the practice of duelling rather increased it, and its gradual approach to desuetude can only be attri-

buted to the influence of reason: until this influence obtains, all laws will be rendered nugatory by the established code of honour.

Nothing can be more absurd than the regret for the "*glorious days of Chivalry!*" It is very true, that nothing could be more beautiful and praiseworthy than the theory on which it was grounded; but a legislature might just as wisely sit down and embody an Utopian code of laws as to expect that a soldier will only draw his sword in the defence of innocence, — it is too absurd a dream to be entertained even in romance.

The exact origin of chivalry is a matter of doubt. By some historians it is attributed to Henry I, King of Germany, in 936, called the "*bird-catcher*," from his partiality to field pursuits. Others have traced it to Geoffrey de Preuilly, who died in 1066; but it appears that he was only celebrated from his having collected and published the laws of tournaments. History records a chivalric meeting that took place as early as 858, near Strasburgh, between Charles the Bald, and his brother, Louis of Germany. In France it was in general practice in 1136; and in Spain and England in 1140.

The rules and regulations in the management of these tournaments were curious, and showed that the profession of arms was supposed to be the proof of virtue as well as of courage. By these institutes it was ordered—

Peint par Vandyck. Gravé par Pelee.

CHARLES II

ROI DE LA GRANDE BRETAGNE

I. Whosoever has done or said anything against the holy Christian faith shall be excluded; and if any such shall presume to intrude himself, on the account of his family and ancient nobility, he shall be beaten and driven back.—*This first article was proposed by the Emperor Henry I. himself.*

II. If any, however nobly descended, have done or said anything against the *Roman* empire, or the sacred majesty of the Emperor, he shall not be admitted, but publicly punished before the assembly.—*This article was proposed by Conrad, Prince of Palestine.*

III. If any have betrayed or deserted his lord and master, or have been the occasion of any mutiny, disorder, or shameful flight in an army; or have oppressed and unjustly killed any of his subjects and vassals, or other innocent person, he shall be publicly punished.—*Duke of Franconia.*

IV. Whosoever has committed violence upon virgins or oppressed widows, or has violated and defamed any woman by word or deed, when he appears at the public tournament, shall be disgraced and punished.—*Duke of Suevia.*

V. Whosoever has been guilty of perjury, of forging hand or seal, or lies under any other infamy, shall be held unworthy of the honour of a tournament; and, if he enter, he shall not be suffered to go away without some punishment. —*Duke of Bavaria.*

VI. Whosoever has secretly or openly made away with his wife, or has advised or assisted the killing of his superior, whose vassal he was, let him be debarred, and let the law of tournament be executed upon him.

VII. Whoever have been guilty of sacrilege, by robbing churches or detaining what belongs to them, or have wronged widows and children to whom they were left guardians, shall not be admitted, but punished.

VIII. Whosoever keeps up an unreasonable feud with another, and will not refer the difference to law or to a fair battle, but invades his adversary's land, burning and spoiling it, and carrying off his goods, especially if he has destroyed corn, which has caused a dearth or a famine,—if he appear at the tournament, let him be put to death.

IX. Whosoever has been the author of any new *gabel* or imposition in any province, city, or other dominion, without the consent of the Emperor, by which means subjects are oppressed, and trade and commerce with strangers are hindered and discouraged, let him be punished.

X. Whosoever is guilty of adultery, let him be punished.

XI. Whosoever doth not live suitably upon his lawful rents and income, but debaseth his dignity by buying and selling, and using mean and sordid arts to the damage of his neigh-

bours and oppression of his tenants, let him be beaten.

XII. Whosoever cannot prove his nobility for four generations at least by both father and mother, shall not have the honour of being admitted into the tournament. — *The two last articles were proposed by Philip, the secretary of the Emperor.*

These ordinances are a strong illustration of the habits and practices of the nobles at that period, and present a vivid picture of the times, when few indeed must have been the champions who could have qualified for the lists.

Although, on the commencement of these exercises, blunt weapons were used, fatal accidents were nevertheless very frequent; and it is said of a Turkish ambassador, who was present at a tournament at the court of Charles VII, that, on beholding several of the combatants killed and wounded, he exclaimed, "*If they are in earnest, this is not enough; but, if it is only in jest, we have had too much of it.*"

It was the frequency of these playful accidents that induced the clergy to forbid tournaments; as appears in the canons of the council of Rheims in 1148, by which Christian sepulture is refused to those who fall on such occasions.

Howbeit, in 1274, our Edward I, on his passage by Chalons, being challenged by the Count de Chalons, entered into a joust with the

French knights, which was so successful on the part of the English, that their opponents, infuriated by their inferiority, made a serious attack upon his retinue; and so much blood was idly shed on the occasion, that the tournament was ever after called "*the petty battle of Chalons.*"

In 1209 we find Philip Augustus obliging his sons, Louis and Philip, to make a vow against entering into any such meetings. In 1385 we find Francis I. in a tournament between Ardres and Guines; and Henry II. in 1559,—a fatal encounter in which he died from a wound in the eye-ball received from Montgomery, captain of his guards. This accident took place on the occasion of the marriage of the King's eldest daughter to Philip, King of Spain; in honour of which there were balls, masquerades, and tilting. His majesty, fancying to enter the lists, had a lance sent to Montgomery to encounter him: the captain at first very wisely declined the honour; but, upon the King's repeated requests, was reluctantly obliged to comply with his orders. The tilt-yard was in the Rue St. Antoine, where the captain purposely and politely broke his lance against his royal master's breast-plate: unfortunately one of the splinters flew into his eye, and penetrated the ball; the King lingered in great agony for

FRANCOIS I.ER

d'après le tableau original du Titien

a month and died, after having forbidden all similar exercises.*

To form an idea of the ferocity that marked these deadly meetings, and the absurdity of what were called points of honour, we have only to recount the particulars of a combat that took

* This accident was strangely commented on by the theologic writers of the time, as appears by the following extract from Cockburn:—

"There was another observation made of this (accident), not only by the Protestants, but some of the moderate Roman Catholics, and which disposed some to turn Protestants. For this King Henry, by the persuasion of Cardinal Lorrain, had begun a severe persecution of the Protestants; and said, as was reported of him, that he *would raise a mountain out of the ashes of Protestants that should be burned, higher than any in France:* and, a day or two before, the Count Montmorency, by an order brought him by Oliver the Chancellor, seized and committed to the Bastile eleven eminent councillors and members of the Parliament of Paris, who lay under suspicion of favouring the Protestant doctrine: wherefore it was concluded and believed a visible and just judgment of God for avenging the blood of some of his servants, and the intended cruelty against others, that the King should receive his death by the same hand which seized these innocent men, in the very face of the Bastile where they were imprisoned, and that he should die too between twelve and one, the same hour in which he signed the order for seizing them. Thuanus reports that it was given out that King Henry said to those who came to take him up, that '*he was afraid he had been injurious to those innocent persons,*' pointing to the Bastile; which Cardinal Lorrain checked in great wrath, telling him that these thoughts proceeded from an evil spirit. It is also remarkable how that the same Count Montgomery had afterwards his head struck off publicly at Paris, being condemned for treason because he joined the Prince of Condé's party against the Queen and the Regency."

place between two Spanish captains at Ferrara. These two heroes had demanded a "field" of the Viceroy, Monsieur de Nemours. The Duchess of Ferrara was, of course, most anxious to be present at the contest; she being, according to Brantôme, the most beautiful and accomplished lady in Christendom, both as regarded corporeal and mental qualities, speaking moreover *force belles langues:* therefore was it, (and very naturally,) that M. de Nemours was deeply enamoured of her, and wore her colours, (rather sombre, to be sure,) black and grey. The combatants being engaged, one of the parties received a desperate wound, which occasioned such a loss of blood that he sunk on the ground; when his antagonist, according to the noble institutions of chivalry, rushed on him with the point of his sword to his throat. The which beholding, the Duchess, who was as kind as she was courteous, and as beauteous as she was virtuous, with clasped hands implored M. de Nemours to separate the combatants; to which he replied, rather uncourteously for a knight, "You cannot doubt, madam, that there is nothing in the world that I would not do to convince you of my thorough devotion to your will; but in this instance I can do nothing, nor offend against the laws of battle, nor can I honestly and against reason deprive the conqueror of a prize which he has obtained at the hazard of his life."

Howbeit, the second of the fallen man stepped forward, and addressing the conqueror, whose name was Azevedo, declared that, knowing well the character of his friend, St. Croix, who would rather die a thousand deaths than admit that he was vanquished, surrendered himself for him, and avowed himself conquered. Azevedo was perfectly satisfied with this admission, and left the field in great pomp and glory, with a flourish of trumpets; while St. Croix's wounds were dressed, and he was borne off the ground with his arms, which Azevedo had forgot to carry away as trophies of the battle: but, upon his being reminded of the circumstance, he forthwith sent a messenger to demand them. This request, however, being refused, the case was referred to the decision of M. de Nemours, who immediately ordered that the arms of St. Croix should be carried to the conqueror; or that, if he declined to send them, the dressings of his wounds should be taken off, and he should be again carried to the field, and laid in the situation in in which he was placed when his second interfered for his life: however, the second was wise enough to comply with the request. Brantôme observes, that much might be argued on this matter to decide how far Azevedo ought to have been satisfied with the second's submission instead of the principal's; as the combat was to have been mortal, the swords and daggers having

been placed in the hands of the combatants by the Prior of Messina.

A *beau combat* is recorded of Monsieur de Bayard and another Spaniard, Don Alonzo de Soto Mayor, who, having been taken prisoner by the former, insulted him so grossly that he offered him the satisfaction of a meeting on foot or on horseback. The day being appointed, Bayard made his appearance, mounted upon a spirited charger and clad in white, a symbol of humility. The choice of arms having fallen upon the Spaniard, he preferred a combat on foot, on the plea that he was not so good a horseman as his adversary, but in reality from his having heard that the French knight was labouring under an intermittent fever, which he had experienced for upwards of two years. Bayard, on account of his indisposition, was strongly urged by his second, Monsieur de la Palisse, and his friends, to insist upon a mounted combat. To this he objected, as he did not wish that his opponent should accuse him of having thrown any difficulties in the way of a fair meeting. The ground was taken, and marked with several loose stones. Bayard, having received his arms, prostrated himself on the ground to put up a fervent prayer, while every one around him joined in the orison upon their knees; then, rising, he made the sign of the cross, and attacked his adversary as cheerfully as if he was stepping out in a ball-room to com-

mence a dance. The Spaniard advanced, and calmly asked him, "*Señor Bayardo, que me quereys?*" To which he replied, "To defend my honour;" and forthwith attacked him. The struggle was fiercely kept up, and great skill displayed on both sides; until Bayard, by a feint, struck him such a blow in the throat, that, despite his gorget, the weapon penetrated four fingers deep. The wounded Spaniard grasped his adversary, and, struggling with him, they both rolled on the ground; when Bayard, drawing his dagger and thrusting its point in the nostrils of the Spaniard, exclaimed, "Señor Alonzo, surrender—or you are a dead man!" a speech which appeared quite useless, as Don Diego de Guignonnes, his second, exclaimed, "*Señor Bayardo, es muerto; vincido haveys!*" Bayard, says the chronicler, would have given a hundred thousand crowns to have spared his life; but, as matters turned out, he fell upon his knees, kissed the ground three times, and then dragged his dead enemy out of the camp, saying to the deceased's second, "Señor Don Diego, have I done enough?" to which the other piteously replied, "Too much, Señor, for the honour of Spain!" when Bayard very generously made him a present of the corpse, although he had a right to do whatever he thought proper with it; an act highly praised by Brantôme, who says it is difficult to say which act did him most honour,—the not having ignominiously

dragged the body like the carcase of a dog by a leg or an arm out of the field, or having condescended to fight while labouring under an ague; as an ague in those days (sturdy dogs!) was not considered a sufficient reason to decline a combat.

As fighting became a matter of fashion, and therefore of necessity, it was impossible to be too punctilious in taking offence. Any subject, however trivial, was considered sufficient to warrant a combat, and required blood to wipe off a supposed stain upon a factitious honour; and, when blood could not be obtained for this vital purpose by fair means, assassination was not deemed beneath the dignity of the offended, or incompatible with honour's laws. Thus we find a Franche-Comté nobleman running another through the body in the very porch of a church, while he was presenting him some holy water; and two other high-born worthies fighting it out before the altar, to decide who had the best right to a seat of precedence, or the first use of the censer.

Tilts and tournaments were simply *simulacra* of actual combats, training youth to deeds of arms under the flattering auspices of the fair sex, that they might the more diligently and expertly commit murder whenever it suited ambition, fanaticism, or love.

What the ladies expected from their champions cannot be better expressed than in the

injunction of the Dame des Belles Cousines to little Jean de Saintré, a subject which Scott has admirably translated in the following quaint and appropriate language :—

"The Dame des Belles Cousines, having cast her eyes upon the little Jean de Saintré, then a page of honour at court, demanded of him the name of his mistress and his love, on whom his affections were fixed. The poor boy, thus pressed, replied that the first object of his love was the lady his mother, and the next his sister Jacqueline. 'Jouvencel,' replied the inquisitive dame, who had her own reasons for not being contented with this simple answer, 'we do not talk of the affection due to your mother and sister; I desire to know whom you love *par amours*.'

"'In faith, madam,' said the poor page, to whom the mysteries of chivalry, as well as of love, were yet unknown, 'I love no one *par amours*."

"'Ah, false gentleman, and traitor to the laws of chivalry!' returned the lady; 'dare you say that you love no lady? Well may we perceive your falsehood and craven spirit by such an avowal. Whence were derived the great valour and the high achievements of Lancelot, of Gawain, of Tristram, of Giron the Courteous, and of other heroes of the round table?—whence those of Panthus, and of so many other valiant knights and squires of this realm, whose names I could enu-

merate had I time? — whence the exaltation of many whom I myself have known to rise to high dignity and renown? — except from their animating desire to maintain themselves in the grace and favours of their ladies, without which mainspring to exertion and valour they must have remained unknown and insignificant. And do you, coward page, now dare to aver that you have no lady, and desire to have none? Hence, false heart that thou art!'

"To avoid these bitter reproaches, the simple page named as his lady and love *par amours* Matheline De Coucy, a child of ten years old. The answer of the Dame des Belles Cousines, after she had indulged in the mirth which his answers prompted, instructed him how to place his affections more advantageously.

"'Matheline,' said the lady, 'is indeed a pretty girl, and of high rank, and better lineage than appertains to you. But what good, what profit, what honour, what advantage, what comfort, what aid, what counsel for advancing you in the ranks of chivalry, can you derive from such a choice? Sir, you ought to choose a lady of high and noble blood, who has the talent and means to counsel and aid you at your need; and her you ought to serve so truly, and love so loyally, that she must be compelled to acknowledge the true and honourable affection which you bear to her. For, believe me, there is no

lady, however cruel and haughty, but through length of faithful service will be brought to acknowledge and reward loyal affection with some portion of *pity, compassion,* or *mercy.* In this manner you will attain the praise of a worthy knight; and, till you follow such a course, I would not give an apple for you or your achievements.' "

The lady then proceeds to lecture the acolyte of chivalry at considerable length on the seven mortal sins, and the way in which the true amorous knight may eschew commission of them. Still, however, the saving grace inculcated in her sermon is fidelity and secrecy in the service of the mistress whom he should love *par amours.* She proves, by the aid of quotations from the Scriptures, the fathers of the church, and the ancient philosophers, that the true and faithful lover can never fall into the crimes of pride, anger, envy, sloth, or gluttony. From each of these his true faith is held to warrant and defend him. Nay, so pure was the nature of the flame which she recommended, that she maintained it to be inconsistent even with the seventh sin of chambering and wantonness, to which it might seem too nearly allied. The least dishonest thought or action was, according to her doctrine, sufficient to forfeit the chivalrous lover the favours of his lady. It seems, however, that the greatest part of her charge concerning incontinence is levelled against

such as haunted the receptacles of open vice; and that she reserved an exception (of which in the course of the history she made a most liberal use) in favour of the intercourse which, in all law, honour, and secrecy, might take place when the favoured and faithful knight had obtained, by long service, the boon of *mercy* from the lady whom he loved.

The last encouragement which the Dame des Belles Cousines held out to Saintré in order to excite his ambition, and induce him to fix his passion upon a lady of elevated birth, rank, and sentiment, is also worthy of being quoted; since it shows that it was the prerogative of chivalry to abrogate the distinctions of rank, and elevate the hopes of the knight, whose sole patrimony was his arms and his valour, to the high-born and princely dame before whom he carved as a sewer.

"'How is it possible for me,' replied poor little Saintré, after having heard out the unmercifully long lecture of the Dame des Belles Cousines, 'to find a lady, such as you describe, who will accept of my service, and requite the affection of such a one as I am?'

"'And why should you not find her?' answered the lady preceptress. 'Are you not gently born? Are you not a fair and proper youth? Have you not eyes to look on her—ears to hear her—a tongue to plead your cause to her—hands to serve her—feet to move at her bidding—body and heart

to accomplish loyally her commands?—and, having all these, can you doubt to adventure yourself in the service of any lady whatsoever?'"

In these extracts is painted the very spirit of chivalry, and the manners of an age which so many modern ladies seem to regret most deeply.

As I have already stated, warlike youth had to a certain degree emancipated themselves from the power of the priesthood, although they were always prepared and willing to rush into battle at their commands; but to the honour of the clergy it must be confessed, that although many individuals of that body might have enjoyed fighting as much as any testy layman, yet they did exert themselves to temper and modify as much as lay in their power the ferocity of the times. Whether in these efforts they were chiefly influenced by motives of humanity, or by opposition to the rivalry of secular power, it is no easy matter to decide.

The secular power of the nobles was very great, and to a certain degree independent of that of the sovereign. President Henault informs us, that during the first, and a considerable period of the second race, dukes and counts, in their quality of provincial governors, administered all regal functions within their jurisdiction, bestowed all military preferments, and judged by *sovereign judgment* all appeals of the *centenaries*, or judges nominated by the monarch,—still, in

It appears, however, that the nobles paid but little attention to the *Treuga Dei*, or any other truce that tended to check their unruly passions. A greater diversion from their private feuds soon drew their attention in another direction; preparing the great moral revolution that marked the eleventh and the twelfth centuries: I of course allude to the Crusades, when, in the words of Anna Comnena, the whole of Europe seemed to have been torn up from its foundations, and ready to precipitate itself upon Asia. Six millions of enthusiasts, according to contemporary writers, rushed forward in this holy war; and in 1096, under the command of Godefroy de Bouillon, an army of about a hundred thousand, chiefly composed of men sufficiently distinguished in their several countries by birth and education to cut each other's throats with propriety, were patriotic enough to rid their country of their presence, and were soon after followed to Palestine by another draft of pugnacious nobility and gentry from various parts of Europe.

Nor can we be surprised at this ardour, when we consider all the advantages held out to the crusaders both in this world and in the next. They were exempted from all prosecution for debt, and from the payment of all interest thereon. They were freed from taxation; they were taken under the immediate protection of St. Peter; and all who vexed, perplexed, or impeded them in

word, deed, or thought, were irrevocably damned. They obtained a plenary remission of all sins past and present, with immunity for future ones; and the gates of heaven were thrown open to them without any other claims on salvation than their having engaged in this expedition.

The crusades moreover produced a great revolution in property; many of these adventurers selling their lands and inheritances at the lowest prices to equip themselves, while many of the nobles, perishing in the expedition, left their fiefs without heirs to increase the revenue and power of the crown.

Thus was this glorious enterprise a fatal blow to feudality; and, when a few of these adventurers returned to their homes, they were so reduced by misery and corrected by misfortunes, that their unfortunate vassals entertained some dawning hopes of better days. These wanderers had travelled over more civilized parts, and brought back some faint notions of justice, humanity, and improvement.

Another circumstance in the twelfth century not a little added to the progress of the human mind in search of amelioration. In 1137, when the imperial troops were plundering and sacking the town of Amalfi, a band of ruffians had found in some ruins an old book, the *illuminated* pictures of which attracted their notice. The Emperor claimed this curiosity as his prize, having dis-

covered that it was no less than a copy of the Pandects of Justinian; the which he presented as a valuable trophy to the city of Pisa, whence its contents were called "*Pandectæ Pisanæ*," till, being borne away in turn by the Florentines, it was afterwards named "*Pandectæ Florentinæ*."

This accidental discovery produced a new era in Europe: it showed the barbarians who wielded the brute power of force, that there did exist other arguments than the sword's point or the spear-head; and murder, which had usurped the seat of justice for upwards of six centuries, was obliged to yield to the influence of reason and interest. Schools of civil law were now opened, that superseded the exercises of the lists; and the study of Roman law succeeded the Lombardian code, despite the endeavour of the clergy to protect their canonical institutions by fulminating anathemas issued from the Vatican. The clergy of England, who, like their predecessors the Druids, had engrossed every branch of learning, lost no time in obtaining a proficiency in all the ancient oral maxims and customs, called common law, which had been handed down from former ages. Hence William of Malmsbury, soon after the Conquest asserted, *Nullus clericus nisi causidicus.* The judges were created out of the sacred order, and all the inferior offices filled up by the lower clergy, their successors to this day being called *Clerks.*

Thus we see two events, the crusades and the introduction of civil law, checking the disastrous excesses of duelling and arbitrating all differences by the sword. The future was pregnant with two events of still greater importance towards humanizing Society, — the fall of the Eastern empire, and the discovery of the art of printing: by the one, civilization was thrown back on the West; and by the other gift of Providence man began to learn to think for himself.

We thus perceive the progress of duelling, and its less frequent occurrence, depending in a great measure upon the state of society and the nature of government: by following this progress chronologically in the history of various countries, we shall attain much information, both as regards the prevalence of this barbarous custom, and the success of different governments in their endeavours to suppress, or, at least, restrain its excesses. When, after reading the details of many of these duels, (some of them of perhaps a tedious nature, but all tending to illustrate the manners of the age,) we glance on the civil and religious condition of the people amongst whom they took place, the deductions from these observations may be found to be of more importance than may at first sight appear.

CHAPTER VI.

DUELLING IN FRANCE.

France may be considered the classic ground of duelling, the field of single combat *par excellence;* whence, from the duchy of Normandy, as we have already seen, it was introduced into the British isles.

If we are indebted to our neighbours for this practice, it is also to them that we owe the various codes and regulations drawn out to equalize, as far as possible, the chances of victory, and to prevent any unfair advantages being obtained to the prejudice of the opposite party. Of these various documents, possibly the rules given by Brantôme may be considered the most curious.

In the first instance, he says: —"On no account whatever let an infidel be brought out as a second or a witness: it is not proper that an unbeliever should witness the shedding of Christian blood, which would delight him; and it is moreover abominable that such a wretch should be allowed such an honourable pastime.

"The combatants must be carefully examined and felt, to ascertain that they have no particular drugs, witchcraft, or charms about them. It is allowed to wear on such occasions some relics of Our Lady of Loretto, and other holy objects; yet it is not clearly decided what is to be done when both parties have not these relics, as no advantage should be allowed to one combatant more than to another.

"It is idle to dwell upon courtesies: the man who steps into the field must have made up his mind to conquer or die, but, above all things, never to surrender; for the conqueror may treat the vanquished as he thinks proper,—drag him round the ground, hang him, burn him, keep him a prisoner, in short, do with him whatever he pleases. The Danes and Lombards, in this, imitated Achilles, who, after his combat with Hector, dragged him three times round the walls at the tail of his triumphant car.

"Every gallant knight must maintain the honour of ladies, whether they may have forfeited it or not,—if it can be said that a *gentille dame* can have forfeited her honour by kindness to her servant and her lover. A soldier may fight his captain, provided he has been two years upon actual service, and he quits his company.

"If a father accuses a son of any crime that may tend to dishonour him, the son may demand

satisfaction of his father; since he has done him more injury by dishonouring him, than he had bestowed advantage by giving him life."

Notwithstanding Brantôme's authority, the right of a soldier to call out his captain has been a questionable point; and La Béraudière, and Basnage, and Alciat have discussed the point very minutely. The last author came to the conclusion that such a meeting could only be tolerated when both parties were off duty,—*post functionem secus.* The same learned writer maintains that you can only refuse to fight a bastard; and he therefore strongly recommends all noblemen to legitimatize their sons, that they may be rendered worthy of the honour of knighthood and of duelling: and he further declares, that all challenges from a *roturier*, a mere citizen, or a man in business, must be considered as null and void.

There is a passage in Brantôme which singularly applies to modern France, as regards the multiplicity of decorations of honour and their various button-hole badges; distinctions, which, from the facility with which they are obtained, he does not consider as qualifying the wearer to fight a gentleman. "If these people were attended to," he says, "one could no longer fight a proper duel: such numbers of them pullulate in every direction, that we see nothing but knights of St. Michael and of the Saint Esprit;

Alciat
Jurisconsulte

to such an extent were these orders abused during our civil wars, to win over and retain followers being no longer the meed of valour or of merit."

To tear off a decoration, or even to touch it, was considered an unpardonable insult; and we have seen in more modern times an example of the respect to which such attributes of distinction are entitled. In August 1833, Colonel Gallois, an officer in the service of Poland, felt himself offended by an article in the *Figaro*, a paper conducted by Nestor Roqueplan; and, having met him, tore off his riband of the Legion of Honour. The parties met in the wood of Meudon, when Roqueplan received three wounds, and Gallois one in the knee: the two seconds of Gallois at the same time had thrown off their coats, and challenged the seconds of Roqueplan, who very wisely declined any participation in the fight; when one of Gallois's party insisted upon satisfaction from Mr. Leon Pillet, a friend of Roqueplan, with whom he was on intimate terms, and, to urge his suit, requested that he might be allowed to take the badge of the Legion off his coat, to overcome his apparent repugnance; adding, that he entertained too much friendship and esteem towards him to offend him in any other manner. There was no refusing so polite a request.

The colours of a lady, in a knot of ribands worn by her admirer, and called an *emprise*, were equal-

ly sacred; and, when a *brave* of those chivalric days was anxious for a combat, he exerted himself to find some daring desperado who would put his finger on the badge of love. In Ireland to this day, in many of its wild districts, a pugnacious ruffian will drag his jacket after him, and fight *unto death* any *spalpeen* who ventures to touch it.

Choice of arms was a matter of great importance in these meetings, indeed of a vital nature; since, if a weapon was broken in the hands of one of the parties, he was considered vanquished, and at the discretion of his conqueror,—such an accident being looked upon as a decision of Providence: a miss-fire at the present day is considered a shot, although on a less religious principle. Pistols were introduced in the reign of Henry II; and, being considered as affording a more equal chance to both combatants, this arm has been generally selected in modern duels, more especially in England. On the Continent the small-sword and the sabre were more frequently resorted to; and we shall shortly see the regulations regarding their employment, which in France form a regular code.

Some of the ancient modes of fighting were most singular and whimsical. Brantôme relates a story of two Corsicans who had fixed short sharp-pointed daggers in the front of their helmets, be-

ing covered with a suit of mail called a "jacque" over their shirts, although the weather was remarkably cold; such an arrangement having been proposed by the offended, who had the right to select and name the mode of combat, and who was fearful of his antagonist's renown for his power and dexterity in wrestling. Both were armed with swords, and they fought for some time with such equality of skill that neither was wounded; at length they rushed upon each other, and wrestling commenced. It was during this struggle that the daggers came into play, each butting in his antagonist's face, and neck, and arms, until blood was streaming in every direction, and in such profusion that they were separated: one of them only lived a month; in consequence of which the survivor was well nigh dying of *tristesse* and *ennui*, as they had become friends, and expected that they both should have died.*

Notwithstanding this valorous disposition, it

* A still more ingenious mode of fighting was adopted by a young soldier, of a diminutive stature, who had been insulted by a tall sturdy Gascon: he insisted that they should both wear a steel collar round their necks, bristled with pointed blades as sharp as razors; and, wearing no armour, their bodies and limbs were exposed to the swords of each other. By this invention the little man could look up at his antagonist without any danger; while the tall fellow could not look down at his adversary without cutting his chin with the acerated points of his collar, in consequence of which he was soon run through the body.

appears that the choice of arms and appointments was frequently made a subterfuge to gain time, or cause much trouble and expense; and Brantôme relates, that, in the fatal duel between Jarnac and Chasteneraye, the former proposed no less than thirty different weapons to be used both on horseback and on foot, and had also specified various horses, Spanish, Turkish, Barbs, with different kinds of saddles: in consequence of which our chronicler adds, that if his uncle had not been a man of some independence, and moreover assisted by his royal master, he could not have maintained the challenge; and he very truly observed, when receiving it, "This man wants to fight both my valour and my purse."

This privilege of the offended to choose their arms and regulate the nature of the combat, however capriciously, afforded considerable advantages; since the art of fencing taught many secret tricks, the knowledge of which gave great reputation to professors. So secret, indeed, were these instructions, that not only was the pupil solemnly sworn never to reveal the mysterious practice, but instructions were given in private, after having examined every part of the room, the furniture, and the very walls, to ascertain that no third person could have been concealed to witness the deadly lesson. To this day in France such cuts and thrusts are called *coups*

de maître, and by the lower classes *coups de malins*.

A curious case is recorded of a knight, who, having been taught invariably to strike the region of the heart, insisted upon fighting in a suit of armour, with an opening in each cuirass of the breadth of the hand over the heart: the result, of course, was immediately fatal to his antagonist.

The "cunning" of armourers was also frequently resorted to, to obtain unfair advantages. A skilful workman in Milan had carried his mode of tempering steel to such a point of perfection, that the solidity of the sword and dagger depended entirely on the manner in which they were handled: in the hands of the inexperienced the weapons flew into shivers; whereas in the grasp of a skilful combatant they were as trusty as the most approved Toledan blade.

Nor were these valiant knights very particular as to odds. It is related of two French gentlemen, La Villatte and the Baron de Salligny, who fought a duel with two Gascons of the name of Malecolom and Esparezat, that Malecolom having speedily killed his antagonist Salligny, and perceiving that his companion Esparezat was a long time despatching Villatte, went to his assistance. When Villatte, thus unfairly pressed by two antagonists, remonstrated against the treachery, Malecolom very coolly replied,

"I have killed my adversary, and, if you kill yours, there may be a chance that you may also kill me; therefore here goes!"

More punctilious, however, were some of these heroes in points of honour. We read in Brantôme of two Piedmontese officers, intimate friends, who having gone out to fight, one of the parties received a wound that was supposed to be mortal; when his opponent, instead of despatching him, assisted him off the ground, to conduct him to a surgeon. "Ah!" exclaimed the wounded man, "do not be generous by halves! — let it not be said that I fell without inflicting a wound: so, pray wear your arm in a scarf, and say that I hit you ere I succumbed." His friend generously acceded to the proposal; and, having smeared a bandage in his blood, he wrapped it round his arm, publishing abroad that he had been wounded ere his brave companion received his mortal thrust. The wound however not proving fatal, an everlasting friendship, cemented by gratitude, ever after prevailed between them.

Many instances of these singular rencontres and fatal caprices in deeds of arms will be recorded in the course of this history; all of which may be referred to the character of the times, and the existing government's weakness or tyrannical influence.

In relating the progress of duelling in France during the fifteenth and the sixteenth centuries, I

cannot better characterize the state of the country than by quoting a late intelligent writer, M. de Campigneulles :—

"I find between the fifteenth and the sixteenth centuries the same difference that is observable between the seventeenth and the eighteenth; neither of these periods being in my opinion in favour of any progress. Louis XI. will be found preferable to Charles IX; and Charles VIII. will be placed in a more distinguished rank than Henry II. Francis I. will not make us forget Louis XII; and the glorious exploits of the French under Charles VII. will console us for a long time for the miseries of the civil wars under Henry III. I do not think it necessary, to justify the second proposition, to draw a parallel between the reigns of Henry IV. and Louis XIV. on one side, with the regency and reign of Louis XV. on the other. What is not less remarkable is, that the first period of a century has frequently been more worthy of estimation than the second; showing that there is an action and a reaction in the progress of civilization, and that the torrent of ages seems to be subject to the same laws that regulate the waters of the deep.

"Under Charles VII. the aristocracy was too deeply engaged in their national contest with England to occupy themselves with personal feuds; the aristocracy, in the enormous sacrifices which this struggle required, was drained both

of men and money. The people gained nothing, —the royal authority alone reaped any advantage that might have resulted from this state of affairs; for from this reign we may date the establishment of standing armies and taxations,—the latter being imposed illegally, and without the sanction of the states-general.

"The policy of Louis XI.'s government turned to a profitable account the state of poverty and depression to which the aristocracy had been reduced. The nobility of France was deteriorated by this cruel prince, who founded his despotic power upon executions; and the blood which had been spilled in the field of battle to defend the country, was now wantonly shed upon the scaffold. There was none left to irrigate a field of private battle.

"These combined circumstances had struck a fatal blow to duelling; and the prejudices which had justified the practice, and which at the same time had advocated the cause of aristocracy, became every day more weak, attesting the homogeneity of their character.

"France has always been considered as giving the *ton* to Europe; but between us and other countries the exchange has not always been to our advantage, and, for what we may have given to our neighbours of any value, we have received in return sad equivalents. It is to Germany that we were first indebted for judicial combats.

It was in Italy that we sought the practice of duelling, which succeeded them; and while this moral contagion was widely spread during the expeditions of Charles VII, Louis XII, and Francis I, a sad physical contamination was transmitted to us through Spain. The practice of duelling had scarcely crossed the Alps, when it gradually disappeared amongst the Italians; and the stiletto became a substitute for the sword.

"It is to the reign of Charles VIII. that we must refer these Italian campaigns, so fatal to our arms and our manners. The ardour of our youth inspired this monarch with a desire of foreign expeditions. In 1494 he overran the kingdom of Naples, losing his conquests as rapidly as he had obtained them. Duelling was then in great vogue over Italy, — a tradition of the Goths and Lombards, modified, or rather exaggerated, by the chivalric fancies of the Spaniards.

"A wish to enforce the rights of Valentine on the duchy of Milan induced Louis XII. to undertake fresh Italian expeditions, although he had strenuously opposed similar projects on the part of his predecessor during his latter days. It was during the reign of this monarch, from 1499 to 1515, that incessant duels thinned the ranks of his armies. They were sanctioned by the Duke de Nemours their leader, and the illustrious Bayard himself was obliged to yield to the torrent of fashion.

"The Italian wars continued to be waged under Francis I. He himself, as we have seen, sent a rodomontade challenge to the Emperor Charles; and although neither of the parties entertained a serious intention of putting their boasted threats into execution, yet he had shown an example which was greedily followed by the most distinguished personages of the court."

It was during his reign that pistols were introduced, and became the fit auxiliaries of the dagger amongst the bandits that infested the realm; and thus does Abbé Villy describe the condition of the country—"Our intercourse with the Italians, amongst whom our armies had lived for more than fifty years, had altered our national character in many respects. Men became less delicate in their means of glutting revenge. Assassinations and premeditated murders became each day more frequent. Already it was not considered sufficient to await an enemy upon the road, or attack him in his dwelling. It was at the corner of a street or in an open square, and in the presence of their fellow-citizens, that public functionaries fell under an assassin's blow. Relays of horses were ready to enable the criminal to escape, and the crime to remain unpunished."

"Charles IX. was the last French monarch who allowed a duel, and was present when it took place. He was also the first to prohibit the prac-

tice; and his ordonnance of 1566 in this respect was admirable, wherein he commanded that all differences should be submitted to the decision of the constables and marshals of France, more especially in such cases where the lie had been given.

"Henry III. was the last who appeared in a tournament, with his brother Charles IX; and he also issued severe orders concerning murderers and assassins, who, however, from his want of energy, appeared with more audacity and impunity than at any other period, converting the country into a cut-throat: and if this prince ended by discouraging duels, it was only when from his affections towards his unworthy favourites he felt their loss, and, without possessing sufficient energy to avenge them, their tragic end only gave rise to fresh scandal in the indecency of his grief. D'Audiguier, the duellist, called him the best prince in the world; and Brantôme says that he was so good, that he never could punish rigorously, he so loved his nobility.

"The fever of duelling was not mitigated during the long period of our religious wars. Civil wars differ widely from those that are carried on to defend national honour against a foreign enemy. When these break forth, personal feuds are appeased, and one interest predominates; our blood is reserved for our country, and duels will cease: but when in an impious conflict citizens

are armed against each other, every evil passion is unbridled; no law, no check, can restrain them; everything becomes a weapon; men no longer fight, but kill; and what the sword may have spared is doomed to the scaffold. Thus did murders assume every possible form during the convulsions of the sixteenth century; every instrument of destruction was brought to bear; the dagger rivalled the sword; and, as we already were indebted to Italy for duelling, an Italian Queen, one of the Medici, brought in another gift —assassination."

CHAPTER VII.

DUELS IN FRANCE DURING THE SIXTEENTH CENTURY.

As we have seen in the preceding chapter, it was during the reign of Francis I. that duels became multiplied, both in the French dominions, and in their armies employed upon foreign service. The influence of the monarch upon his court, and of that court upon the nation, has ever been all-powerful in that country, until the people knew that they were something. We have seen the potato, after being considered by the whole country as only food fit for swine, introduced into fashionable, and thence into general consumption, after Louis XIV. had appeared in court with a nosegay of its flowers at his button-hole.

The gasconading challenge sent by Francis to Charles, although it must have been fully appreciated by reasoning people, acted with electric enthusiasm on the nation; and if a king thought it incumbent on his honour to seek satisfaction for having been accused of asserting a falsehood,

how much more urgent did it become for subjects to draw their swords upon the slightest contradiction that could give umbrage to the phantom of chivalric honour? Moreover, it had been currently reported, and of course confirmed by the courtiers, that this monarch, having considered himself offended by the Count of Saxony, then on a visit at his court, had taken him aside in a hunting excursion, without any witness being present to compromise his future safety, and proposed a single combat, which the Count very wisely declined.

Francis, although he not only tolerated, but approved of duelling, was jealous of the right of giving it his sanction, and was much displeased if a challenge was sent without his knowledge. Thus De Cipsière was obliged to absent himself from the Louvre for a considerable time, for having presumed to send his compliments to D'Audoin by Vicomte Gourdon, and to inform him that he was going to hear mass at the church of St. Paul, where if M. D'Audoin would attend at the same time, they would afterwards take a walk into the country by the Porte St. Antoine. Several duels during this reign may almost be considered as judicial combats, since they took place in the presence of the sovereign, who thus constituted himself an arbiter.

The reign of Francis might have been one of gallantry and of pleasure; and there are not

wanting even ladies who, in the present day, look upon its profligacies and their ferocious results as noble deeds,* the effects of chivalric devotion. I must confess that, in looking over its annals, I can find nothing remarkable, except an outrageous breach of all morality and decorum, and a wanton waste of human blood.

The miserable successor of this prince, Henry II, whose reign was ushered in by the disgraceful duel between Jarnac and La Chasteneraye, which I have already related, encouraged duelling by his want of energy; the princes of the blood followed the general example: and we find the Prince Charles, brother to the Duke de Bourbon Montpensier, fighting with D'Andelot, brother of the Admiral Coligny, at a hunting party.

It was during this reign that a singular duel

* In Lady Blessington's "Idler in Italy," we find the following feminine remark, when speaking of Nice:—

"A marble cross marks the spot at Nice where an interview took place between Francis I, Charles V, and Pope Paul III. As I stood on the spot, I could call up to my mind's eye these three remarkable men: but I found my fancy more disposed to dwell on the chivalrous sovereign of France than on the gloomy warrior of Spain, who exchanged a throne for a convent, or the churchman, who established the inquisition. I believe, all women take a stronger interest in the memory of two French monarchs of ancient days, than in that of any of their contemporaries. I refer to Henry IV. and Francis I; both were distinguished by great bravery and courtesy, which have a peculiar attraction for ladies; and the weaknesses of which they are accused, are such as women are most disposed to pardon, except in the persons of their suitors or their husbands."

took place between a youth of the name of Châteauneuf, and his guardian Lachesnaye, an old man of eighty. The champions met at the Isle Louviers, the subject of the dispute being a lawsuit concerning the minor's property. Châteauneuf asked the old gentleman, if there was any truth in the reports circulated, that he had made use of disrespectful language concerning him; which the other positively denied on the word of a gentleman. This assertion satisfied the youth; but the old man would not let the matter rest. "You may be satisfied," he replied, "but that is more than I am: and, since you have given me the trouble of coming here, we must fight. What would all those folks say, who have done us the honour of collecting to see us on both sides of the river, if they found that we came here to talk instead of acting? Our honour is concerned; let us therefore begin." Both were armed with swords and daggers; when Lachesnaye exclaimed, "*Ah! paillard! tu es cuirassé!*" which we might translate into modern phraseology, "You varmint! you have a cuirass on. "*Ah! je t'aurai bien autrement!*"—"You shall catch it in another manner!" and forthwith made his cut and thrust at the face and throat; an attack which by no means disconcerted the young combatant, who very quietly ran the old gentleman through the body.

The youth of those gallant times were not

very punctilious when they were less successful than Châteauneuf, as appears in the following adventure :—

The King, being out at a stag-hunt in the wood of Vincennes, accompanied by the nephew of Marshal St. André, this youth sought a quarrel with an elderly gentleman of the name of Matas, and they repaired to a lonely part of the wood, where Matas gave him a salutary lesson in fencing, by disarming him, whipping his sword out of his hand as soon as he was on guard; adding, "For the future, young man, learn to hold your sword, and do not seek to encounter a man like me! Take up your sword; depart, and I forgive you." So saying, he was mounting his horse, when his adversary having raised his sword from the ground, thought the best use he could make of it was to rid himself of so troublesome a witness of his shame; he therefore stabbed him in the back, and left the corpse on the ground. The chronicler adds, "No notice of this transaction took place, for the young man was nephew of Marshal St. André; whereas the other was only a relation of Madame de Valentinois (the famed Diana de Poitiers), who, after the death of Henry II, had lost all her influence at court." Nay, poor Matas was even blamed for having rebuked a fiery and honourable youth! "It is wrong," says the chronicler, "for old boasting

fencers to abuse their good fortune, and taunt a youth who is only in the bud,—*car Dieu s'en attriste!*"—It grieves God!

Nothing could exceed the *sang froid* that these desperate men exhibited on such occasions. Brantôme relates the case of a duel between a Norman gentleman and a little chevalier named De Refuge. They had taken a boat to go over to the Isle du Palais, to fight without witnesses; when, perceiving that several other boats were in pursuit of them, they jumped on shore, one of them exclaiming, "Pray, let us make haste, for they are coming to separate us!" and, so saying, they attacked each other. After four lounges, they were both dead. The same writer mentions a Seigneur de Gensac, who was eager to encounter two champions at once; and, when the absurdity of the attempt was alleged, merely replied, "Why, history is full of such deeds! and, *mon Dieu!* I am determined to have my name recorded."

The following adventure of an illustrious murderer, called by Brantôme the Paragon of France, may give an idea of those glorious times:—

Duprat, Baron de Vitaux, was son of the Chancellor Duprat, and from early life had displayed symptoms of undaunted "courage." He commenced his career in arms by killing the young Baron de Soupez, with whom he had quarrelled at dinner, when Soupez threw a candlestick

at him and broke his head: he waylaid him on the road to Toulouse; and, having despatched him, effected his escape in female attire. His next exploit was murdering a gentleman of the name of Gounelieu, to avenge the death of one of his brothers, a lad of fifteen, whom Gounelieu had killed; on this expedition he was accompanied by a young nobleman named Boucicaut; their victim was travelling post near St. Denis, when they met with him: after this achievement, he fled to Italy, Gounelieu being a favourite of the King. Vitaux, however, could not remain long in exile and inactivity, but returned to France for the express purpose of revenging the death of another brother, killed by a near relation of his own, the Baron de Mittaud.

This Baron was a *Seigneur* from Auvergne, and had been summoned to court by Charles IX. to act as an interpreter to the ambassadors from Poland, who came to offer the crown of that kingdom to the King's brother, the Duc d'Anjou. Mittaud, little suspecting that Vitaux was in Paris, was not upon his guard; while Vitaux, who had allowed his beard to grow to a considerable length, and was disguised as a lawyer, was watching every opportunity to surprise him, — having taken an obscure lodging on the Quai des Augustins, in company with his old companion Boucicaut, and a brother of his, both of them *brave and valiant men*, and called the *Lions* of

the Baron de Vitaux. These worthies, having met the Baron de Mittaud, immediately despatched him; but it so happened, that, in defending himself, he had wounded one of the Boucicauts, who, not being able to keep pace with the two other assassins in their flight, was obliged to stop at a barber's shop to get his wound dressed: he had been tracked by the traces of the blood he had lost in his flight, and was taken up by the Archers of the Provost twelve leagues from Paris; and, being confined in Fort l'Evêque, expected to have been executed, since both the King and his brother decided that he should forfeit his life.

It so happened, that the Polish ambassadors lodged in the house of the prisoner's brother, who was Provost of Paris, and who earnestly supplicated them to apply to the King and his brother for the culprit's pardon. The Polish envoys, backed by President de Thou, made a long harangue in Latin; which, whether the monarch understood them or not, succeeded in ultimately attaining their demand, and Boucicaut shortly after appeared at court as gay and as unconcerned as ever.

This event only encouraged our *hero,* who shortly after returned to Paris, and killed with "incredible audacity," says the chronicler, Louis de Guart, the King's favourite, who had presumed to oppose the grant of his pardon. Vitaux,

with seven or eight companions, entered Guart's house, and killed him in his bed; using for the purpose "a sword very short and very keen, which, upon such occasions, is considered preferable to a long one." "This act," adds the historian, "was considered one of great resolution and assurance." One might have expected that such a ruffian would have died on the gallows; but he sought the protection of the Duc d'Alençon, being under the patronage of Queen Marguerite, of whom he was a special favourite.

At last, the Baron de Mittaud, brother of the one he had assassinated eight years previously, called him out: both parties were duly examined, although it was maintained that Mittaud wore a thin cuirass, painted flesh-colour, under his garments. Howbeit, the point of Vitaux's sword was bent either upon this protection, or one of his ribs; finding that all his lounges and thrusts were of no avail, he had recourse to hacking and hewing, when in four well-applied cuts his adversary despatched him, without having had the "courtesy of offering him his life." "Thus," further says the historian, "died this brave Baron, the *Paragon* of France, where he was as much esteemed as in Spain, Germany, Poland, and England; and every foreigner who came to court was most anxious to behold him: he was small in stature,

but lofty in courage: his enemies pretended that he did not kill people 'properly' (*il ne tuait pas bien ses gens*), but had recourse to various stratagems; wherein," says Brantôme, "it is the opinion of great captains, even Italians, who were always the best avengers in the world, —that stratagem might be encountered by stratagem, without any breach of honour." Brantôme adds, "I have spoken enough of him; although I should immortalize him were it in my power, as much for his merits, as for the sincere friendship that existed between us!"

The duel that most grieved the heart of Henry III. was that which occurred between his favourite *mignons*, Caylus and D'Entragues, who had fallen out about some fair ladies of the court. Riberac and Schomberg, a young German, were seconds to D'Entragues; Maugerin and Livaret were the seconds of Caylus. The parties met near the ramparts of the Porte St. Antoine, no one being present but three or four "poor persons, wretched witnesses of the valour of these worthy men."

The moment the principals had commenced, Riberac addressed Maugerin, saying, "Methinks that we had better endeavour to reconcile these gentlemen, rather than allow them to kill each other." To which unworthy proposal the other replied, "Sir, I did not come here to string beads; I came here to fight!" "And with

whom?" innocently asked Riberac; "since you are not concerned in this quarrel,—with whom?" "With you, to be sure," was the laconic reply of Maugerin. "If that be the case," added Riberac, "let us pray;" and, so saying, he drew his sword and dagger, and placing the hilts cross-ways, fell upon his knees to put up proper orisons: but Maugerin thought his doxology too prolix; and, swearing most irreligiously, told him "that he had prayed long enough." Upon which they furiously attacked each other, until both fell dead.

Schomberg, the other second, beholding this episode, addressed Livaret very politely, saying, "These gentlemen are fighting; what shall we do?" To which the other replied, "We cannot do better than fight, to maintain our honour." Schomberg, who was a German, forthwith cut open the cheek of his adversary; a compliment which Livaret politely returned by a thrust in the breast, which stretched him a corpse, to keep company with the body of Maugerin. Riberac was borne from the field, and died of his wounds the next day. D'Entragues, though severely wounded, effected his escape; while Caylus was carried to his death-bed, where he bitterly complained that his adversary had a dagger in addition to his sword. In consequence of being obliged to parry the thrusts of the former with his hand, he had been stabbed in several places.

He further stated, that he had said to D'Entragues, "You have a dagger, and I have none!" To which the other replied, "So much the worse for you; you ought not to have been such a fool as to have left it at home." Brantôme observes, that he does not exactly know whether, from a sense of *gentillesse chivalaresque*, he ought not to have laid aside his dagger. Livaret, two years after, was killed in a duel; when his servant, on seeing him fall, picked up his sword, and killed his adversary, the son of the Marquis de Pienne. The King was so afflicted at the death of Caylus, that he gave orders to have him buried by the side of another of his *mignons*, Sainct Megrin, who was assassinated by the Duke de Guise at the Louvre gate.

The custom of the seconds fighting with each other appears to have been introduced by the royal *mignons*, who, no doubt, vied with each other for the monarch's favour. In these murderous contests, one of the most celebrated bravoes was Bussy d'Amboise, one of the principal actors in the massacre of St. Barthelemi, during which he assassinated his own near relation, Antoine de Clermont, with whom he was at law. This was undoubtedly a more *expedient* motive than the one that induced him to call out a gentleman of the name of St. Phal, who having an X embroidered on some part of his apparel, Bussy maintained that it was a Y. A combat forth-

with took place, of six against six. One could scarcely believe that the brave Crillon should have risked his life with such a pernicious cut-throat. Yet it is recorded that, having met him one day in the Rue St. Honoré, Bussy asked him the hour; when Crillon, drawing his sword, replied, "It is the hour of thy death!" Fortunately the combatants were separated. The intrigues of Bussy with Marguerite de Valois are well known; and at the same period he boasted of the favour of the Countess de Montsoreau, whose husband was master of the hunt of the Duke d'Alençon; and having written to that prince, that he had caught a deer of the Count's in his snares, the letter was shown to Henry III, who kindly put it into the husband's hand. The master of the hunt did not deem it advisable to risk his life in seeking revenge, but compelled his faithless spouse to give a *rendez-vous* to her paramour; when, instead of his mistress's embraces, he was received by the daggers of hired bravoes.

The assassination of this monarch himself (Henry III.) afforded a singular instance of the manners of the time, and the reckless character of the courtiers. A young man in the royal household, of the name of Isle Marivaux, determined not to survive his royal master; and begged to know if any one would do him the favour of fighting with him, to give him a fair

chance of being killed. Fortunately for him, another courtier, of the name of Marolles, took him at his word; and, after a few lounges, gratified his best wishes.

Such were what historians called "*the good old times*," when, as a late writer asserts, the lasciviousness of Messalina was combined with the ferocity of Nero and the gluttony of Heliogabalus; and when wit and ribaldry were the associates of assassination. Thus, when Catherine de Medicis was informed upon her death-bed of the murder of the Duke and Cardinal de Guise, she replied, "'Tis well cut out, my son; but now your work must be stitched!"

CHAPTER VIII.

FRANCE IN THE SEVENTEENTH CENTURY.

We now come to a reign which was considered the most glorious in the annals of French history—that of Henry IV. Yet France showed that the private character of a monarch can exert but little influence over the manners of a people previously demoralized by capricious tyranny and by civil war. It has been truly said, that "Henry, surnamed the Great, did not illustrate the character of his times, but Ravaillac;" it is also a singular fact, that the name of Henry seemed to be fatal to the French monarchy, and five assassins were found to raise their murderous hands against a sovereign said to be beloved.

In vain did Henry IV. issue the most positive edicts against duelling; his commands were unheeded, and his humane intentions invariably set at nought. From his accession to the throne in 1589, until 1607, it was calculated that no less than four thousand gentlemen were killed in

affairs of honour; and we find that, in a journal of the 8th of August 1606, was to be read the following paragraph: — "Last week we had in Paris four assassinations and three duels, no notice having been taken of these events." The desperate nature of these bloody feuds was such, that whole families were destroyed. This was instanced in the case of two persons of the name of Joeilles and Devese, the former having seduced the wife of the latter. Devese only accepted the challenge to draw his enemy into an ambush, with the intention of murdering him; but he fortunately escaped with a wound in the back. Having joined the army in Savoy some time after, he again sought his adversary, who fired a pistol at him, and ran away. The King, on hearing of this offence, dismissed Devese from his regiment, granting a permission to Joeilles "to attack him in whatever manner he thought proper, to seize upon his property and houses, and his person wherever he found him." However, a reconciliation was attempted to be brought about, and the hand of a sister of Devese was to be the pledge of peace; but Joeilles, bent upon revenge, so managed it, that he seduced the young lady, and then refused to marry her. Her brother soon avenged her wrongs by waylaying and killing him, when a relation of Joeilles got him shot with a musket by a person of the name of D'Aubignac. In fine, one

girl was the only survivor of the two families; illustrating, during the far-famed reign of this sovereign, the *vendeta* of the Corsicans.

This evil may have been justly attributed to the chivalrous ideas of the monarch, who acted in defiance of his own wise decrees; since we find him writing to his friend, Duplessis Mornay, who complained of having been insulted, "I feel much hurt upon hearing of the insult you have received, and in which I sympathise both as your sovereign and your friend. In the first capacity, I shall see justice done, both for your sake and mine; and if I only bore the second quality, you should find me most ready to draw my sword, and most cheerfully to expose my life." Can it be surprising that such a monarch should have fallen under an assassin's blow? In November 1594, the eldest son of the Duc de Guise, having sought a quarrel with the Comte de St. Pol, ran him through the body in the streets of Rheims; yet, two years after, the King appointed that very person to the government of Provence.

Ruffians of the most sanguinary disposition became noted and respected under this popular Henry IV. One of them named Lagarde Valois, was celebrated for his brutal deeds; another quarrelsome ruffian, named Bazanez, was determined to have a trial of skill with him, and for this purpose sent him a hat, ornamented

with feathers, and accompanied with a message, stating that he would wear it at the peril of his life. Lagarde immediately put the hat upon his head, and set out in quest of Bazanez, who was also looking for him in every direction. Having at last met, after an exchange of mutual civilities the combat began. Lagarde inflicted a wound on the forehead of his antagonist; but, the head being harder than his steel, his sword was bent on the skull: he was more fortunate in his next lounge, which penetrated his antagonist's body, when he exclaimed, "This is for the hat!" Another thrust was equally successful, when he added, "And here is for the feathers!" This purchase he did not deem sufficient, and he therefore gave him a third wound, exclaiming, "And this is for the loop!" During this polite conversation, seeing the blood of his opponent streaming from his several wounds, he complimented him on the elegant fit of his hat, when Bazanez infuriated, rushed upon him, breaking through his guard, and, throwing him down, stabbed him in the throat with his dagger, and repeated his desperate blows fourteen times in his neck, chest, and stomach; while at each stab, as the wretched man roared out for mercy, the other replied at every reiterated thrust, "No! no! no!" However, during this conflict, the prostrate Lagarde was not al-

together idle; he bit off a portion of his adversary's chin, fractured his skull with the pommel of his sword, and "only lost his courage with his life." During this scene, the seconds were amusing themselves also in fencing, until one of them was laid dead on the field of honour. This Lagarde, it appears, was as concise in his epistolary style as in his colloquial eloquence during a fight: the following is a copy of one of his letters to a man whom he was determined to despatch. "I have reduced your home to ashes; I have dishonoured your wife, and hanged your children; and I now have the honour to be your mortal enemy, — LAGARDE."

It has already been stated, that during the reign of Henry IV. four thousand gentlemen lost their lives in single combat; and, by the statement of Daudiguier, this monarch granted fourteen thousand pardons for duelling. It was in vain that the wise Sully exerted his influence to check this execrable practice; the following extract from his Memoirs affords a striking illustration of the times:—

It was in consequence of the constant remonstrance of this minister that Henry issued various prohibitory edicts, which criminated duellists as guilty of *lèse-majesté*, and punished the offence with death. The edict of Blois, in 1602, not only condemned both the challenger and the challenged, with their seconds, to death,

and confiscation of their goods; but further ordered that all offended parties should submit their complaints to the governor of their province, to be laid before the constable and marshals of France. This was the origin of the jurisdiction of the "point of honour," which may, however, be partly referred to an edict of Charles IX. of 1566, but which was only embodied as a code under Louis XIV.

Bellieme, then chancellor of France, maintained that duels would not cease until the King ceased to intermeddle with them; but, if left to him, he would soon put a stop to the practice by refusing a pardon to all offenders; observing, that the most forward to fight would draw back, if, whatever were to be the issue of the duel, they saw that death was inevitable. Such was the course adopted by the Prince de Melfi, who commanded the army in Piedmont, and who obliged both the challengers and the offenders to fight upon a narrow bridge without rails or parapet, and guarded at both extremities, so that there was no escaping from drowning, or being run through the body.

It appears that all these edicts, notwithstanding the severity of their formulary, were unheeded, and seldom or never carried into execution; indeed, there were as many saving clauses and loop-holes in these decrees as in any of our modern acts of parliament, through which

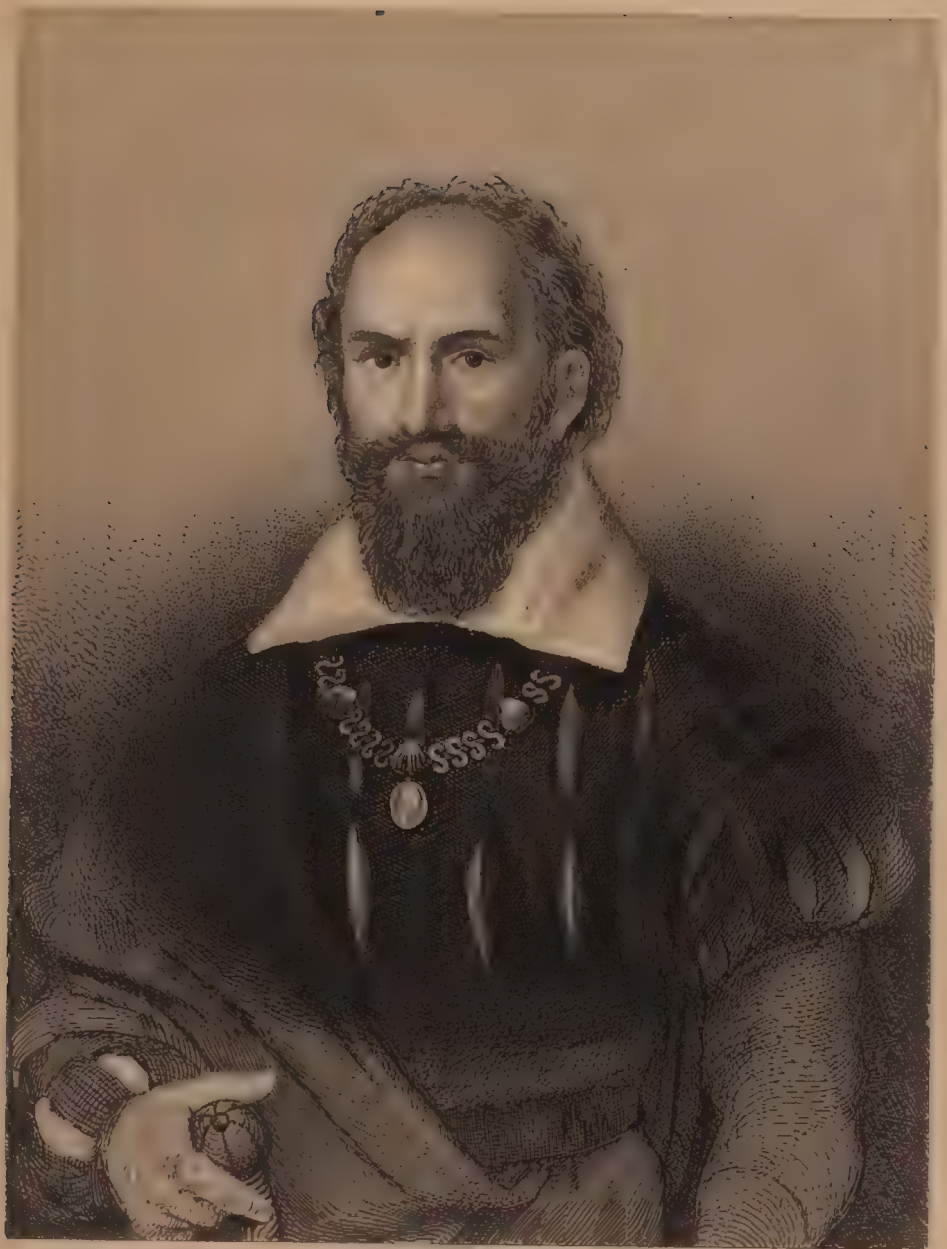
it has been truly observed, one could drive a coach and four: for instance, while duels were denounced as impious and infamous, it was provided that the offended parties should have the power of applying to the sovereign through the marshals of France for permission to fight; another clause specified that "a person who demanded a battle without sufficient reason, should be dismissed with shame:" but there is not a single instance of the application of this law upon record; and D'Audiguier observes, "that as the King never granted permission to fight to any applicant, and had frequently refused it, it was evident that there was no use in making an application, therefore the parties came to blows without any reference to authority, and were, with very few exceptions, pardoned by the royal clemency." Sully observes on this subject, "that the facility with which the King forgave duels tended to multiply them, and hence these fatal examples pervaded the court, the town, and the kingdom."

Montaigne says on this subject, that he verily believes, "if three Frenchmen were put into the Libyan desert, they would not be a month there without quarrelling and fighting;" and Hardouin de Perefix, Bishop of Rhodes, observes, in his Life of Henry IV, "that the madness of duels did seize the spirits of the nobility

and gentry so much, that they lost more blood by each other's hands in time of peace, than had been shed by their enemies in battle. Chevalier, in his work called "Les Ombres des Defunts," asserts that, in the province of Limousin alone, in the space of six or seven months, there were killed one hundred and twenty gentlemen.

But such is the empire of prejudice, and the contagion of fashion, that Sully frankly avows that he was nigh quarrelling with his royal master for having had the imprudence to consent to be present at a duel, when Henry IV. briefly told him that he deserved to lose his head for having dared to assume a regal power in the precincts of his court; and most probably the minister would have been disgraced, but for the interference of the ladies of the court.

In fact, these edicts, like many other criminal laws, defeated their own intention by their severity, which would have rendered their application as ferocious as the offences which they were to punish; they were thus rendered illusive in practice, however praiseworthy they might have been in theory,—the one neutralizing the operation of the other. Sully justly observed on this subject, "that the excessive severity of the means would be the source whence would arise the principal obstacles to their execution; and frequently the penalties which produce the greatest im-



pression are such, that one cannot apply for forgiveness." Sully, however, failed in his laudable exertions to check this practice; and we shall find that Richelieu, whose power was much more formidable, did not meet with much greater success while endeavouring to crush the proud and unmanageable aristocracy of France.

In the midst of these scenes of blood, it affords some relief to find that there were individuals who dared the prejudice of public opinion, and, respecting the laws both of God and man, firmly resisted the practice. History records the instance of Monsieur de Reuly, a young officer, who could not be induced to fight a duel under any circumstances. Having once been grievously offended, he submitted the case to the decision of his generals, who determined it in his favour; but his opponent insisted upon a personal meeting, and sent him a challenge. De Reuly told the servant who brought it, that the person who had sent him was much in the wrong, and that he had received all the satisfaction which in justice or reason could be demanded. But the other still pressing and repeating his challenge, and that too with some insolent and provoking language, Reuly stated "that he could not accept the challenge, since God and the King had forbidden it; that he had no fear of the person who had insulted him, but feared God, and dreaded offending him; that

he would go every day abroad, as he was wont, wherever his affairs should call him; and that, if any attack was made upon him, he would make his aggressor repent it."

His adversary, unable to draw him into a duel, sought him with his second; and, having met him when only attended by his servant, attacked him, when both the principal and his second were severely wounded by him; and, assisted by his servant, he carried them both to his quarters, where he got their wounds dressed, and refreshed them with some wine: then, restoring to them their swords, he dismissed them, assuring them that no boasting of his should ever compromise their character; nor did he ever after speak of the transaction, even to the servant who had been present at the affair.

CHAPTER IX.

DUELS DURING THE REIGN OF LOUIS XIII.

During the reign of this monarch, or rather the sovereignty of his minister, private rencontres were carried on with as much ferocity as ever, and some of these meetings were attended with circumstances which rendered them as absurd as they were atrocious. In one instance we see two champions getting into a puncheon and fighting with knives; and in another two noblemen fought with daggers, holding each other by the left hand; while the 16th of January 1613 was rendered remarkable by the tragic end of Baron de Luz and his son, who were killed by the Chevalier de Guise.

The baron had met De Guise in the Rue St. Honoré, and some words arose between them relative to the death of the late De Guise, who had been assassinated at Blois by order of Henry III. The baron was on foot, De Guise on horseback; he immediately alighted, and requested the baron to draw: the old man could scarcely believe that the chevalier was in earnest,

yet drew his sword in self-defence. He was aged, and for years had been out of practice; whereas his antagonist was a young man, in the prime of life, and famed for his sword-manship. His first thrust proved fatal, his sword passing through the body of his adversary, who staggered to a shoemaker's shop hard by, and fell down dead. His antagonist quietly remounted his horse, and rode off in the most unconcerned manner.

The deceased had a son about the same age as the chevalier, who upon hearing of his father's death, was determined to avenge him. From the high rank and station of De Guise, he well knew that, if he fell, no part of Europe could afford him an asylum from prosecution; yet was he determined in so just a cause to run every risk, and, as he did not dare approach the hotel of the proud nobleman, he sent him a challenge by his squire, couched in the following respectful language.

"No one, my lord, can bear witness to the just reason of my sorrow more forcibly than your lordship; I therefore entreat your lordship to forgive my resentment when expressing my desire that you will do me the honour of meeting me sword in hand, to give me satisfaction for my father's death. The esteem which I entertain for your well-known courage induces me to hope that your lordship will not

plead your high rank to avoid a meeting in which your honour is so deeply compromised. The gentleman who bears this, will conduct you to the place where I am waiting for your lordship with a good horse and two swords, of which you will have the choice; or, should your lordship prefer it, I shall attend you at any place you may command."

The meeting took place on horseback; and, after a desperate conflict, the murderer of the father gave the son the satisfaction of taking his life also: while they were fighting, their seconds wounded each other. D'Audiguier, who gives the particulars of this duel, adds, that "this victory would have been more gratifying to God if he had fought for the same cause that led his ancestors into Palestine!"

This De Guise was grandson of Henri de Lorraine, Duc de Guise, surnamed *the Great,* and who was killed at the siege of Orleans; his father, surnamed the *Balafré,* from a deep scar on the face, was assassinated at Blois: they were both looked upon as *Doctors* in the science of duelling, and their opinion and decision considered law.

This De Guise was banished to Italy by Richelieu, where he died in 1640. His son, Henri de Lorraine, was equally celebrated for his amorous adventures and chivalric achievements, and was brought to trial by Richelieu as an accomplice in the conspiracy of the Count

de Soissons, and sentenced to death, *par contumace*, as he had fled to Italy; but he returned afterwards to France, and we find him one of the champions in the celebrated *carousel* of 1662, having previously killed in a duel the Count de Coligny, grandson of the admiral, who was assassinated in the massacre of St. Barthelemi: with him ended the turbulent and bloodthirsty family of De Guise, as society was rid of him in 1664.

The *Balafré* had a third son, Louis, who was a cardinal, and archbishop of Rheims. This prelate was a worthy scion of the desperate stock. He was often seen doffing his canonical vestments to don the cuirass and helm; he fought in the ranks of his sovereign during his expedition in Poitou, and died after the attack on Saint Jean d'Angely. This worthy member of the church militant, having a lawsuit with the Duke de Nevers, wanted to decide the cause at the point of the sword.

D'Audiguier, who has related many of the duels of his time, was a gentleman belonging to the court of Louis XIII, and made a supplication to that monarch not only to cancel all edicts against duelling, but to allow the practice, in the following terms: "A great trial, Sire, is carried on between the nobility and the law in your Majesty's dominions, in which you alone can decide: your nobility maintain

that a gentleman whose honour is impeached should either vindicate it with his sword, or forfeit his life; whereas law asserts that a gentleman who draws his sword shall lose his life: and surely your Majesty, who is the chief of the most generous nobility in existence, cannot feel it your interest thus to blunt their valour; or, under the vain pretence of preserving their honour, behold them reduced to the necessity of losing sight of its dictates, or seek to maintain it with their pen, like the low-bred, disputing the right of arms before menial clerks." Our advocate of the rights of *honour* concludes by imploring the King to render duels less frequent by permitting them to take place on certain occasions when the King himself should be present; and when the public, he adds, "instead of being involved in differences and lawsuits, which consume both blood and fortune, would be delivered of the two monsters, and would feel proud of displaying their courage in your service, and their valour in your royal presence."

Despite these arguments, various prohibitory edicts were issued during this reign: one in particular, dated 1626, forbade all applications for pardon or solicitation in favour of the criminals; and, like his predecessor Henri IV, Louis even denounced as criminal all such applications from the Queen, whom he called his

très chère et aymée compagne; he further protested and declared before Heaven, that he would never grant any exemption from this ordonnance. Notwithstanding the sanctity of these protestations, we find Louis XIII. granting a free pardon to duellists, "on account of the earnest entreaties made by his much-loved and dear sister, the Queen of Great Britain, upon the occasion of her marriage."

Duels must have been of frequent occurrence during this reign, since Lord Herbert of Cherbury, then our ambassador at the French court, asserts that there was scarcely a Frenchman deemed worth looking on who had not killed his man in a duel.

This chivalric nobleman, to show the prevalence of duelling in France, and the respect in which duellists were held, relates the case of a M. Mennon, who being desirous to marry a niece of M. Disancour, who it was thought would be his heiress, was thus answered by him; "Friend, it is not time yet to marry: I will tell you what you must do if you will be a brave man. You must first kill in single combat two or three men; then marry, and engender two or three children; and the world will neither have gained nor lost by you." Of which strange counsel, Disancour was no otherwise the author than inasmuch as he had been an example, at least of the former

part, it being his fortune to have fought three or four gallant duels in his time.

Another anecdote of Lord Herbert shows in what consideration duellists were held by the fair sex. "All things being ready for the ball, and every one being in their place, and I myself next to the Queen, expecting when the dancers would come in, one knocked at the door somewhat louder than became, I thought, a very civil person; when he came in, I remember there was a sudden whisper amongst the ladies, saying, '*C'est Monsieur Balaguy!*' Whereupon I also saw the ladies and gentlemen, one after another, invite him to sit near them; and, what is more, when one lady had his company a while, another would say, 'You have enjoyed him long enough, *I* must have him now.' At which bold civility of them, though I was astonished, yet it added to my wonder that his person could not be thought at most but ordinary handsome; his hair, which was cut very short, half grey; his doublet, but of sackcloth, cut to his skin; and his breeches only of plain grey cloth. Informing myself by some standers-by who he was, I was told that he was one of the gallantest men in the world, as having killed eight or nine men in single fight, and that for this reason the ladies made so much of him; it being the manner of all French women to cherish gallant

men, as thinking they could not make so much of any else with the safety of their honour."

It appears, however, that, notwithstanding this reckless spirit of duelling that prevailed in France, Lord Herbert had found some difficulty in bringing various noblemen to the field; and the following account gives a fair picture of the times.

"It happened one day that a daughter of the Duchess de Ventadour, of about ten or eleven years of age, going one evening from the castle to walk in the meadows, myself, with divers French gentlemen, attended her and some gentlewomen that were with her. This young lady wearing a knot of riband on her head, a French cavalier took it suddenly and fastened it to his hatband: the young lady, offended, herewith demands her riband; but he refusing to restore it, the young lady, addressing herself to me, said, 'Monsieur, I pray, get my riband from that gentleman.' Hereupon, going towards him, I courteously, with my hat in my hand, desired him to do me the honour that I might deliver the lady her riband or bouquet again; but he roughly answering me, 'Do you think I will give it to you, when I have refused it to her?' I replied, 'Nay, then, sir, I will make you restore it by force!' Whereupon, also, putting on my hat, and reaching at his, he to save himself ran away; and after a long course in the meadow,

finding that I had almost overtook him, he turned short, and, running to the young lady, was about to put the riband in her hand, when I, seizing upon his arm, said to the young lady, 'It was I that gave it.' 'Pardon me,' quoth she, 'it is he that gives it me.' I said then, 'Madam, I will not contradict you; but, if he dare say that I did not constrain him to give it, I will fight with him.' The French gentleman answered nothing thereunto for the present, and we conducted the lady again to the castle. The next day I desired Mr. Aurelian Townshend to tell the French cavalier that he must confess that I constrained him to restore the riband, or fight with me. But the gentleman, seeing him unwilling to accept of this challenge, went out from the place; whereupon, I following him, some of the gentlemen that belonged to the Constable, taking notice hereof, acquainted him therewith, who, sending for the French cavalier, checked him well for his sauciness in taking the riband away from his grandchild, and afterwards bid him depart his house: and this was all I ever heard of the gentleman, with whom I proceeded in that manner, because I thought myself obliged thereunto by the oath taken when I was made Knight of the Bath."

It seems that our hero was a very pugnacious defender of ladies' top-knots and ribands, for he relates another quarrel of a similar nature,

in the case of a Scotch gentleman, "who, taking a riband in the like manner from Mrs. Middleton, a maid of honour, in a back-room behind Queen Anne's lodging in Greenwich, she likewise desired me to get her the said riband. I repaired, as formerly, to him in a courteous manner to demand it; but he refusing, as the French cavalier did, I caught him by the neck, and had almost thrown him down, when company came in and parted us. I offered, likewise, to fight with this gentleman, and came to the place appointed, by Hyde Park; but this also was interrupted, by order of the Lords of the Council, and I never heard more of it."

His lordship, notwithstanding his constant quarrels, which he most decidedly sought for, by his own account, asserts "that, although I lived in the armies and courts of the greatest princes in Christendom, yet I never had a quarrel with man for mine own sake; so that, although in mine own nature I was ever choleric and hasty, yet I never, without occasion given, quarrelled with anybody: for my friends often have I hazarded myself, but never yet drew my sword for my own sake singly."

It is difficult to reconcile this assertion with a quarrel he picked with the same Balaguy, so much renowned amongst the ladies, of whom he had already spoken. "I remembered myself," he says, "of the bravado of M. Balaguy, and,

coming to him, told him that I knew how brave a man he was, and that, as he had put me to one trial of daring when I was last with him in the trenches, I would put him to another; and saying that I had heard he had a fair mistress, and that the scarf he wore was her gift, I would maintain I had a worthier mistress than he, and that I would do as much for her sake as he, or any one else, durst do for his."

Balaguy very wisely declined the meeting, with a joke of somewhat an indelicate nature: to which Lord Herbert replied, "that he spoke more like a *paillard* than a cavalier!" And here, strange to say, the matter ended. To doubt the courage of Balaguy, is out of the question; and it is but reasonable to infer that Lord Herbert was looked upon in the court of France as a crackbrained knight-errant. In the case of the young lady's top-knot, there is little doubt but that the French cavalier was her favourite, whom in a pettish moment she sought to embroil with our hero; and the Frenchman very wisely considered the whole business a childish joke.

The Quixotic character of Lord Herbert was fully illustrated after the siege of Rees, when a trumpeter came from the Spanish army with a challenge from a Spanish cavalier, purporting, that if any cavalier would fight a single combat for the sake of his mistress, the said Spaniard

would meet him upon the assurance of a field. His lordship was the only madman found to accept the defiance; and on this occasion received from the Prince of Orange a very salutary piece of advice. "His Excellency thereupon," he says, "looking earnestly upon me, told me he was an old soldier, and that he had observed two sorts of men who used to send challenges of this kind: one of them, who, having lost perchance some part of their honour in the field before the enemy, would recover it again by a single fight; the other was of those who sent it only to discover whether our army had in it men affected to give trial of themselves in this kind. Howbeit, if this man was a person without exception to be taken against him, he said, there was none he knew upon whom he would sooner venture the honour of his army than myself. Hereupon, by his Excellency's permission, I sent a trumpet to the Spanish army, when another trumpet came to me from Spinola, saying, the challenge was made without his consent, and that therefore he would not permit it." This did not satisfy our knight; but he forthwith repaired to the Spanish camp to seek out the challenger. There he was received with great cordiality by Spinola; and, instead of a battle, the visit ended in a festive dinner, during which a conversation took place between his lordship and the Spanish general, descriptive of

the times. "*Di che moriva Signor Francesco Vere?*" To which Lord Herbert replied, "*Per aver niente a fare.*" When Spinola observed, "*E basta per un generale.*" Lord Herbert adds, "Indeed, that brave commander, Sir Francis Vere, died, not in time of war, but in peace." He then parted from his noble host, with a particular request to be allowed to fight the infidels if ever he undertook a crusade, when he would be the first man who died in the quarrel.

It appears, however, that on one occasion a Frenchman, the favourite Luynes, showed less of spirit than our countryman. Through some misrepresentations Lord Herbert was recalled, and Luynes procured his brother the Duke of Chaun, with a train of officers, "each of whom had killed his man," to go to England as ambassador extraordinary to complain of the conduct of Lord Herbert. The inquiry terminated in his favour, when he fell upon his knees before King James, in presence of the Duke of Buckingham, to request that a trumpeter, if not a herald, might be sent to Luynes to tell him that he had made a false relation of the whole affair, and that he demanded satisfaction sword in hand. The King answered, "that he would take it into consideration." But Luynes soon after died, and Herbert was again sent to France.

It may be easily imagined that Richelieu would not allow these edicts, apparently hu-

mane, to put an end to a practice which was both directly and indirectly of material service to his lofty ambition; and when he could not bring to the scaffold illustrious victims, such as the Cinque-Mars, De Thous, and Montmorency, he sought for guilt, real or supposed, amongst those nobles who had infringed these useless laws. Thus we find, in 1626, the young Prince de Chalais, of the house of Talleyrand, killing in a duel the Count of Pont Gibaut, grandson of Schomberg. He was immediately apprehended; but being a favourite of Gaston d'Orleans the King's brother, and moreover the lover of the famous Duchess de Chevreuse, the cardinal was for the time deprived of his victim, until the year 1626, when he was accused of a conspiracy against his sovereign, sentenced to death, and executed the same day. This judicial murder was attended with circumstances of a most cruel nature. No executioner could be found to carry the sentence into effect, when two malefactors were pardoned on condition that they would perform the hateful duty; which they executed in so fearful a manner, that the unfortunate young nobleman received thirty blows of the axe ere his head was severed from the body.

The following year, history records another merciless act of the cardinal. François de Montmorency, better known under the name

of Boutteville, was one of the most renowned duellists of the day. This nobleman, whenever he heard that a person bore the reputation of a courageous man, was in the practice of walking up to him, and quietly saying, "I understand, sir, that you are courageous; I wish to enable you to prove it,—what are your weapons?" Every morning the hall of his hotel was crowded with what was called the "golden youth of France," where fencing and trials of skill at all arms were practised, and a sumptuous collation laid out for the company. The excesses of these desperadoes were so reckless, that a special edict appeared to keep them within limits. Such was the audacity of Boutteville, that he actually compelled the Count of Pont Gibaut on an Easter Sunday to quit his devotions and fight him: he was also denounced for having killed the Marquis de Portes and the Count de Thorigny. Shortly after, fighting the Baron de la Frette, in which duel his second was killed, he was obliged to absent himself from Paris: he fixed upon Brussels to meet another adversary, the Marquis de Beuvron, a relation of Thorigny, whose death he was anxious to avenge. The King, upon hearing of this determination, wrote immediately to the Archduchess, who then governed the Low Countries, to prevent this meeting; and directed the Marquis de Spinola to settle their differences. For

this purpose, this nobleman invited them both to a splendid repast, and made them embrace each other, with vows of everlasting friendship, and a total forgiveness of all past injuries, in the presence of a numerous company. Notwithstanding these solemn protestations, De Beuvron, on quitting the house, whispered Boutteville, "that he never would rest satisfied until he had met him sword in hand." Boutteville however refused to meet him, on the plea of the solemn promise he had made the Archduchess to abstain from any hostile act while on her territory; but he entreated that princess to write to Louis XIII, to obtain the King's permission to return to France: to which application the monarch replied, "that all that he could do, for the love he bore her, was to allow him to remain in France without further prosecution, but he could not permit him to make his appearance at court."

Beuvron returned to Paris, wrote no less than eight letters to Boutteville to request him to meet him there, and on his arrival proposed a duel without seconds: to which Boutteville replied, "that he would have had no objection to this arrangement, had not two of his friends expressed a wish to join the party; and that he should have to give *them satisfaction* if they were disappointed." The following day, the 12th of May, was fixed for the meeting, at three in

the afternoon, on the Place Royale, one of the most public places in the capital; Boutteville declaring that "he would fight under sunshine," and following, in this remark, the example of the celebrated duellist De Bussy, who, being challenged to fight by night, replied, "that he would not condescend to display his valour to the stars, or even to the moon, since they were not able to contemplate him properly, or appreciate his skill; the obscurity of night being only fit to screen deeds of darkness:" he further advised the parties to bring two pioneers with them to dig their graves. It appears that strange notions prevailed on such occasions; and Brantôme relates the case of a gentleman who invited another to fight him on a winter's night in their shirts; to which he sent answer, "that he would not expose himself to catch a cold, or a purging, which he dreaded more than his antagonist's valour."

Howbeit, our champions met, with their four seconds; one of whom left his sick bed for the purpose. The combat began with sword and dagger, when, casting the former weapon away, the principals collared each other, and fought with their daggers; which both holding at each other's throat, they mutually asked for quarter. In the mean time, one of the seconds, the celebrated Bussy D'Amboise, had been run through the throat by a mortal thrust; and another second,

La Berthe, was also put *hors de combat.* The principals very quietly went to lunch at a barber's shop; and, after seeing La Berthe's wounds dressed, rode out of Paris. Bussy had just time to cross himself, and die in the arms of a worthy friar.

The fugitives, who were quietly quitting the kingdom, were recognised by the emissaries of the sister of the deceased Bussy: Boutteville was arrested, after having eaten a hearty supper, and retired to rest; he was carried to the Bastille. On the 21st, being condemned to death, he was executed the following day on the Place de Grève with great military pomp, attended by the Bishop of Nantes: he was as anxious to preserve his mustachoes as Sir Thomas More was to put his beard out of the way of the executioner's axe; when the worthy prelate observed, "Oh! my son, you must no longer dwell on worldly matters! Do you still think of life?" "I only think of my mustachoes!—the very finest in France," replied the penitent.

CHAPTER X.

DUELS DURING THE REIGN OF LOUIS XIV.

I CANNOT better commence the present chapter than by quoting the following view of this epoch, entertained by a late writer on the subject:—*

"The despotism of Richelieu gave birth to the autocracy of Louis XIV; it became the energetic prologue of events naturally progressive. Ministerial absolutism served as a transition to regal absolute power. The ancient feudal liberty had been levelled by the monarchical scythe, while democratic equality was not as yet sufficiently matured to supply its place. The interregnum between these two influences left a wide and fertile field for the uncontrolled and unlimited authority of the *Grand Monarque*, whose name was of sufficient weight in the scale of renown to fill up this lapse with the most brilliant *prestiges*. It was during this invasion of one man on the ancient domains of our rights and liberties that individualism arose: this principle was more fully developed during the voluptuous lethargy of Louis XV, and prepared the way for the final

* Fougeroux de Campigneulles.

triumph of democracy under the feeble sceptre of his successor.

"Richelieu dead, the aristocracy, which had ceased to be a rival power of the throne, became its ornament, and only preserved so much of its former glories as might have been shed around the captive sovereigns who surrounded the triumphal cars of Roman conquerors. Yet did it appear satisfied with this humiliation when reflecting on the miserable crowd of slaves that followed it; the proud contempt of the victor not foreseeing that these captives would, in their turn, burst forth from their shackles to trample under foot the ruins both of aristocracy and monarchy.

"Louis XIV, in the intervals of his warlike policy, fully understood the advantages that he could reap from these elements of aristocracy, dispersed so widely by his predecessors; and he lost no time in collecting their bleeding remains. The nobility, in his hands, was remodelled into an institution purely military, and he claimed from them to restore France to her natural limits, the same means that Charles VII. had pursued to liberate the kingdom. Thus was re-established a patrician *militarism*, in imitation of that German *militarism* which dated from the conquest of the Gauls, and which ultimately led to the plebeian militarism of modern times."

The minority of this monarch had been marked by troubled times, during which the spirit of duelling, that Richelieu had to a certain extent repressed, broke forth afresh with renewed energies; and the disturbances of the Fronde naturally increased these bloody feuds, by giving a certain object and character to the hostile meetings that daily took place. The monarch, anxious to preserve the blood of his subjects for more noble enterprises, sought every means to check the evil; and during his reign no less than ten edicts were promulgated to restrain these excesses: the formulary of these enactments recommended peace and concord, and fulminated destruction on the offenders. Such was the prolixity of their legal *verbiage*, that one of the most celebrated of these acts contained no less than forty clauses and provisions. The spirit of these ordonnances can be easily judged of by the terms of the following preamble, that preceded the edict of 1643:

"Having nothing dearer to our hearts than the preservation of our nobility, whose valour, so justly celebrated and dreaded all over the world, has only been tarnished by the irregularities of a monstrous frenzy; after having put up our supplications to God, which we daily continue to do with all our heart, that he may vouchsafe to open their eyes, and dispel those hateful illusions

which inspire them with a thirst for a spurious honour; we resolve," &c.

In this act it is clear that the monarch was most anxious to preserve the lives and services of his most influential and distinguished followers, and did not contemplate the shedding of their blood by plebeian hands; but, as this did not appear to have always succeeded, we find in the edict of 1651 the following clause:—

"Whereas it does appear that there are persons of ignoble birth, and who have never borne arms, yet are insolent enough to call out gentlemen who refuse to give them satisfaction, justly grounding their refusal on the inequality of their conditions; in consequence of which these persons excite and oppose to them other gentlemen of like degree, whence arise not unfrequently murders, the more detestable since they originate from abject sources; we do hereby will and ordain, that in all such cases of challenge and combat, more especially if followed by serious wounds or death, such ignoble and low-born citizens, duly convicted of having caused or promoted such disorders, shall be forthwith, and without any remission, hanged and strangled; all their goods and chattels, &c. confiscated; and we, moreover, do allow our judges to dispose of such part of this confiscated property as they may deem meet, as a reward to all informers who may give due knowledge of such offences; that, in the commission of

a crime so deserving of condign punishment, every one may be induced to make proper revelation."

It does not appear, however, that these interdictions produced the results that might have been expected from their severity; for in 1679 came out the celebrated *Edit des Duels*, which denounces the penalty of death on all principals, seconds, and thirds, with greater or less confiscation of property as royal droits: gentlemen being deprived of their letters of nobility, and their coats of arms defaced, blackened, and broken by the public executioner; those who fell in duel being tried by *Contumacy*, and their bodies drawn on a hurdle, and cast into the common receptacle of nuisances, being thus deprived of Christian burial. A simple challenge was punished by banishment, and confiscation of one half of the offender's property. In regard to all bearers of messages, or servants who had attended upon their masters on such occasions, and who formerly were to be hanged, this edict mercifully condemned them to be only whipped, and branded with a *fleur de lis*. Historians relate that the law was in general *strictly* put into execution in the latter case.

Other penalties were inflicted by a court of satisfaction and reprisal. A lawyer who insulted another was subjected to very severe penalties; giving the lie, striking with hand or stick, were

acts that subjected the offender to imprisonment, with the obligation of making ample apology to the offended when released from confinement; and not unfrequently the injured party was allowed to inflict a castigation similar to the one he had received.

It was with this view that courts of honour were instituted, in which the marshals of France sat as supreme judges, and, after due investigation, ordered that such satisfaction should be given as the case might require, in addition to the penalty of incarceration, fine, or banishment, according to the nature of the provocation; and in various instances guards were sent to the houses of the offenders guilty of a contempt of court, who were obliged to maintain them for a considerable length of time. Although the institution of courts of honour, composed of the marshals of France, is attributed to Louis XIV, a similar enactment took place in 1566, in the reign of Charles IX.

In theory, nothing could be more plausible than these enactments. They were received by the nation with that enthusiasm which usually attends upon any innovation; even the Academy granted a prize-medal to the author of a successful poem on the abolition of duelling. In practice, however, the law was far from attaining its desirable end. The prejudices and false views of honour had too long prevailed to

be easily eradicated, and human passions sought every possible expedient to elude these wise and humane provisions; it might also have been easily foreseen, that, the novelty of the proceedings of the court of honour once having ceased to be popular, the judges themselves, being soldiers, punctilious on such points, which from early youth they had considered as demanding the satisfaction of an appeal to arms, gradually relaxed. It must also be considered that the sovereign himself was a warlike prince, who had imbibed similar ideas from his early days; and moreover, as has been very justly observed, that, while he thus fulminated his royal anathema against duelling, he issued patents to fencing-masters to allow them to exercise their craft. The courtier well knew, that, if he screened himself from resenting an injury under the sanction of the law of the land, the laws of society would brand him as a coward, and the sovereign himself would withdraw his countenance in court and camp. Nor can we be surprised at the difficulty of checking these excesses, which were incessantly fomented by civil and religious discord; such was the hostility that prevailed amongst churchmen and their followers, that processions of religious bodies not only frequently attacked each other in the streets with the most virulent language, but actually came to blows, and fought with crucifixes,

banners, and censers in Notre Dame and the holy chapel, pelting each other with prayer-books and missals,—a combat that Boileau has ludicrously described in his "Lutrin;" it was observed that the most serious ecclesiastical fray of this nature took place in the church of Notre Dame, on the very day when Louis XIII. placed the kingdom under the special protection of the Virgin Mary.

Private outrages, and breaches of common courtesy and decency, frequently arose amongst the first persons in the realm. The great Condé gave a slap in the face to the Comte des Rieux in the presence of the Duke of Orleans, when the Count returned the blow with interest; for which retaliation he was sent for a few days to the Bastille. This Comte des Rieux was the son of the Duke d'Elbeuf; and it had been jocosely observed, "that the cheeks of that nobleman's family had been selected as the field of battle in the wars of the Fronde." On this occasion it is related, that the Duke de Beaufort, the son of a bastard of Henry IV, and who from his vulgarity and brutal excesses was nicknamed the *Roi des Halles*, or what we might translate the *King of Billingsgate*, asked the President de Belliévre, if he did not think that a slap on the cheeks of the Duke d'Elbeuf might change the *face* of affairs. The president replied, that

he apprehended the only change it might produce would be in the *face* of the duke.

Shortly after, in 1652, this same Duke of Beaufort, having a quarrel with his brother-in-law, the Duke de Nemours, on a point of precedence, killed him in a pistol duel, at which four seconds were present, who, according to the laudable practice of the times, kept company with their principals; the Marquis de Villars shooting his adversary D'Héricourt, whom he had then the honour to meet for the first time.

Madame de Motteville, in her Memoirs, states that this said nobleman, his Grace of Beaufort, accompanied by six of his worthy companions, went to insult in the most brutal manner the Duc de Candalle, upsetting the table at which he was seated at dinner with several noble guests; and when the Duke thus outrageously insulted demanded satisfaction, declined meeting him, on the plea of consanguinity, as he was his cousin-german. Despite his unruly conduct, this worthy was soon after selected by his sovereign as chief of the admiralty.

De Beaufort was one of the principal leaders of "la Fronde," and the most active partisan of Cardinal de Retz, who, although a dignitary of the church, knew the use of his sword as well, if not better, than his breviary; he fought two duels, alleging as a precedent his pre-

decessor the Cardinal de Guise, who was ever ready to wield either a sword or a crucifix.

It was during this reign that arose the celebrated quarrel between the beautiful Duchess de Longueville, sister of the great Condé, and the Duchess de Montbazon, the mother-in-law of Madame de Chevreuse; these three ladies being concerned in all the intrigues of the busy court of Anne of Austria, then Regent of the kingdom.

The subject of this dispute arose from a love-letter, in a woman's hand-writing, having been found, which was supposed to have been dropped by the Comte de Coligny as he was leaving the apartments of Madame de Longueville, and which contained various reports unfavourable to the reputation of Madame de Montbazon. This letter was attributed to Madame de Longueville, who insisted that Coligny, her acknowledged lover, should call out De Guise, the favourite of Madame de Montbazon. The parties met in open day in the Place Royale, where Coligny received a mortal wound; while the two seconds, D'Estrade and De Bridieu, were fighting, and the latter was severely wounded. This duel is worthy of record, from the singular fatality which attended it. Admiral de Coligny, the illustrious victim of the massacre of St. Barthelemi, was murdered by the orders of the Duke de Guise; and, seventy

years after, the grandson of the admiral was killed by the grandson of the duke!

Notwithstanding the severity of his different edicts, Louis XIV. took no notice of this fatal rencontre: a circumstance which led to the observation, in a journal of the times, "that the King, although jealous of his authority, was not sorry at heart when he saw his nobles punctilious on matters of honour; therefore many of them willingly exposed themselves to the severity of the law, to obtain the secret approbation of their sovereign." Mazarin, excepting in cases where his authority was questioned, and his influence concerned, seldom exerted himself to prevent these evils. The Comte de Rochefort, who had entered his service after the decease of Richelieu, has given in his Memoirs strange illustrations of the depravity and brutality of the times; and we find the following account in his diary. "Chance would have it that this day I found myself in company with the Comte d'Harcourt, and, having drunk to great excess, it was determined that we should all set out and rob on the Pont Neuf; an amusement brought into fashionable vogue by the Duc d'Orleans. The Chevalier de Rieux, one of the party, felt, like me, much repugnance to this exploit; and by his advice, instead of joining the party, we climbed up on the neck of the bronze horse of Henry IV, where we might safely view this adventure.

Our companions were waylaying the passengers, and had already robbed them of several cloaks, when a party of archers appeared, and they took to their heels. We endeavoured to follow their example; but, in coming down from the equestrian statue, the bronze reins of the horse, on which De Rieux was supported, were broken under his weight, and he fell to the ground, when we were apprehended without any resistance on our part; De Rieux complaining most loudly of the pain he experienced from his fall, while we were both led to the Châtelet."

The parties were kept some time in prison, De Rieux endeavouring to exculpate himself by throwing all the blame upon Rochefort, the narrator of this anecdote, who forthwith called him out; but, having declined the meeting, Rochefort struck him with the flat of his sword. He then demanded satisfaction from the Comte d'Harcourt, the leader of the unruly party; but the count declined the honour on the plea of his rank. Rochefort then, disappointed in his anxiety to fight, assisted by a neighbour of Harcourt who owed him a grudge, cut down the finest trees on that nobleman's estate, and destroyed his preserves; till, at last, a friend and partisan of the count, a desperado of the name of Bréauté, sought him, and called him out on the behalf of Harcourt. Rochefort was severely wounded; and Bréauté, who had

also received a wound in the thigh, bore off his sword as a trophy of his victory, carrying it to the count, who celebrated his exploit in revelry. Rochefort had been severely wounded in the lungs; but his patron, the Cardinal Mazarin, publicly espoused his cause, and sent him his own surgeon, with a purse of five hundred crowns. On his recovery he again set out to despoil the property of his enemy, accompanied by a fellow of the name of Des Planches; but these worthies fell out upon the road while at supper, and, after throwing plates and dishes at each other, commenced fighting with their fists. Rochefort having amused himself in poaching on the count's grounds, Des Planches with his followers placed himself in ambuscade, and fired upon him and his party from behind a hedge; apologising after this outrage, on the plea of his having mistaken him for Harcourt and his gamekeepers. Still Mazarin contrived to protect these desperate ruffians: and, although this Des Planches had been dismissed the service in consequence of a dispute with his commanding officer, he returned to Paris under the cardinal's patronage, to marry a wealthy person; but, his wife being unable to check his desperate mode of living, he died after a drunken party a few years subsequent to his marriage.

This Rochefort, in his Memoirs, gives a curious account of a challenge sent by a person of

the name of Madaillan to the Marquis de Rivard, who had lost a leg at the siege of Puy Cerda. As fighting upon an equal *footing* was considered a point of honour, the marquis sent to his opponent a surgeon with a case of instruments, proposing that he should submit to a similar amputation. The joke was successful, and Madaillan's wrath was appeased.

At various periods of the French monarchy, and despite the severity of the edicts to prevent hostile meetings, the patronage of distinguished personages was considered sufficient to shield the transgressors from punishment. An anecdote is related of a person who, having been introduced into society by a noble patron, was turned out of doors for cheating at cards, with a threat of being thrown out of the window. He complained of this insult to his protector, who very quietly replied, "What would you have me do? All that I can advise you at present is, never to play at cards except on the ground-floor."

About this period a duel took place at Brussels between Beauvais, an esquire of the Prince de Condé, and a gentleman who had presumed to walk up stairs before him, in which the offended esquire was mortally wounded. This Beauvais' ideas of honour were most fastidious, for, although he perilled his life because another

gentleman had taken precedence of him, he resisted the earnest entreaties of the prince his master, who on his death-bed requested him to marry a young person whom he had seduced, and so to legitimatize the children she had borne him; one of whom, Uranie, was afterwards married to the Prince of Savoy.

In 1663, a duel took place between La Frette and De Chalais. They were coming out from a ball at the palace, when La Frette, who had had some difference with De Chalais on account of certain ladies, pushed against him, and a meeting of three against three was arranged for the following morning. The King, being apprised of the circumstance, sent his orders to La Frette, adding, that if he did not keep the peace, he would have his throat cut. The bearer of the royal message was Monsieur de Saint Aignan, to whom La Frette replied, that, as he was his cousin, he was certain that he would not break up a pleasant party and one so well arranged; adding, moreover, that, if he felt disposed to join it, he was convinced that he could easily find him an opponent. To this proposal, although the bearer of a royal mandate, Saint Aignan acceded; and, instead of a combat between threes, it was fought by fours, one of the party being the Marquis d'Antin. The King was justly incensed at this act of disobedience, and especi-

ally at the conduct of Saint Aignan, who had joined the combatants, instead of fulfilling his pacific mission: all the parties were obliged to quit the kingdom; the La Frettes, however, were soon after pardoned at the intercession of Pope Clement X, who offered on this occasion to absolve the King from his vow against duelling.

The only instance in which the severe laws against duelling were carried into execution was at Toulouse, in the case of the Marquis de la Donze, who had treacherously killed his brother-in-law. Whatever effect this severity might have produced upon the public mind, it did not appear to affect the offender, for, when upon the scaffold his confessor exhorted him to pray for forgiveness for his crime, he replied with the usual Gascon ejaculation, "*Sandis!* do you call one of the cleverest thrusts in Gascony a crime?"

Another duel which created a great sensation was the one fought between the Counts de Brionne and d'Hautefort; the latter having called the former out for refusing to marry his sister, whom he had courted. Both combatants were wounded, and were proceeded against by the Grand Provost; but, after a short imprisonment, the affair was hushed up.

It is certain that, as Voltaire has justly observed, many disputes, which at other periods must have led to hostile meetings, were settled

during this reign without bloodshed. Such, for instance, was the quarrel of the Dukes de Luxembourg and Richelieu about precedence; when, after a long and angry correspondence, Richelieu, meeting Luxembourg in the palace, where he was captain of the guard, went up to him, and told him that he dared him on foot and on horseback, he or his followers, either at court or in city, and even in the army, should he proceed to it, or, in short, in any part of the world. Notwithstanding this provocation, an apology was deemed sufficient. An apology was also considered satisfactory in the dispute which arose between the Prince de Conti and the Grand Prior of Vendôme, at the Dauphin's, where the prince accused the latter of cheating at play, and moreover called him a coward and a liar: the prior threw the cards in his face, and insisted upon immediate satisfaction. The prince claimed the privilege of his birth; but at the same time condescended to add, that, although he could not infringe the laws by acceding to his challenge, it was an easy matter to meet him. These meetings, which were resorted to, to keep within the pale of the laws, were called *rencontres* instead of duels: hence originated the term. Howbeit, the Dauphin, hearing of the quarrel, jumped out of bed, and in his shirt, proceeded to terminate the difference. Subsequently making his report to

the King, the next morning the Grand Prior was sent to the Bastille, whence he was only liberated on the condition that he should make an *humble apology* to the Prince de Conti for having been called by him a *cheat*, a *liar*, and a *poltroon*.

Previous to this fracas, a *rencontre* had taken place between the son of the Count de Latour d'Auvergne and a celebrated swordsman, the Chevalier de Caylus; a quarrel having arisen in a brothel about cards and prostitutes. Caylus was obliged to quit the kingdom, and his effigy was hanged on the Place de Grève.

A gambling duel, on a point of honour, is recorded of a M. de Boisseuil, one of the King's equerries; who, having detected his antagonist cheating at cards, exposed his conduct. The insulted gentleman demanded satisfaction, when Boisseuil replied that he did not fight with a person who was a rogue! "That *may* be," said the other; "but I do not like to be *called one!*" They met on the ground, where Boisseuil received two desperate wounds.

It was during this reign that a curious meeting took place between La Fontaine the fabulist, whose meekness and apathy had acquired him the name of "the Good," and an officer. Although generally blind to the irregularities of his wife, he once took it into his head to become jealous of a captain of dragoons, of the name of

Poignant. La Fontaine had not himself observed the intimacy with his wife; but some kind friends had drawn his attention to its impropriety, telling him that it was incumbent on him to demand satisfaction. La Fontaine reluctantly persuaded, contrary to his usual habits, got up early one morning, took his sword, and went out to meet his antagonist. When the parties were in presence, the worthy poet said, "My dear sir, I must fight you, since I am assured that it is absolutely necessary." He then proceeded to acquaint him with the reasons that induced him to call him out, and drew his pacific sword. The dragoon, thus obliged to defend himself, whipped the weapon out of the inexperienced hand of the fabulist, and, having disarmed him, proceeded quietly to point out to him the absurdity of the reports circulated in regard to his wife, and the folly of his having thus exposed his valuable life; adding, that since his visits had been the occasion of scandal, he would from that hour cease to call at his house. *Le Bon La Fontaine* was so affected by this sincere explanation, that he not only insisted that the captain should pay more frequent visits than ever, but swore that he would fight him over again if he discontinued them.

The inefficacy of the various edicts to restrain duels was at last acknowledged, and various means were adopted to enforce them. In the year 1651,

a clergyman of the name of Olier, founder of the congregation of St. Sulpice, conceived a plan of supplying the inefficiency of the law, by putting honour in opposition to itself. With this view he projected an association of gentlemen of tried valour, who, by subscribing an engagement to which the solemnity of an oath was to be added, obliged themselves never to send or accept a challenge, and never to serve as seconds in a duel. In this project he engaged the Marquis de Fénélon, a nobleman respected for the frankness of his disposition and the austerity of his principles, as well as for his well-known courage, when that quality had been called upon in the service of his country; since it was of him that the great Condé had said, that he was equally qualified for conversation, for the field, or for the cabinet. It was to this nobleman that the justly celebrated Archbishop of Cambray owed his education and his rise in the church.

The Marquis de Fénélon having placed himself at the head of this association,—into which no one was admitted unless he had distinguished himself in the service,—on the Sunday of the Pentecost, the members assembled in the church of St. Sulpice, and placed in the hands of M^r^ Olier a solemn instrument, expressing their firm and unalterable resolution never to be principals or seconds in a duel, and moreover to discourage the baneful practice to the utmost of

their power. The great Condé was so struck with the proceeding, that he said to the marquis, that a person must have the opinion which he himself entertained of his valour, not to be alarmed at seeing him the first to break the ice on such an occasion.

However, it appears that neither the King's determination to forward the views of this praiseworthy association, nor the exertions of its respectable members, could totally eradicate the prejudice that maintained the evil; and Madame de Crequi, in her Reminiscences, sadly errs when she affirms that during seventeen years not a duel had been fought. Voltaire was also incorrect when he attributed to this prince, surnamed the Great, the abolition of these bloody proceedings. Voltaire was such an enthusiastic admirer of Louis XIV, that in this case, as in many others, where his partiality, his prejudices, or his scepticism prevailed, he lost sight of facts, or, at any rate, passed them over in silence to suit his purposes. The following extract from a recent work gives a much fairer view of this prince's reign than is given by the generality of his historians:

"His reign, like that of most conquerors, was equally divided between repeated successes and failures. His arms were triumphant so long as he fought to obtain the natural limits of France, which to this day enjoys the fruits of his con-

quests; but Fortune forsook his banners as soon as he drew his sword to level the Pyrenees. His reign commenced in glory, and terminated in humiliation; the prestige of authority took wing with that of victory. When the *Grand Monarque* died, the monarchy may be said to have descended into its sepulchre, and the people, who had once trembled in his presence, insulted his ashes; while the parliament, into whose halls he was wont to enter booted and spurred, avenged themselves by trampling on his will. It was, in truth, the protection he afforded to literature, and the patronage with which he honoured distinguished men and letters, that acquired for him the surname of GREAT. The Mæcenas of his age, he was entitled to the distinction; and it has been truly said of him that France owed to him her knowledge of literature, as Asia owed her acquaintance with Grecian superiority to Alexander."

The efforts of Louis to civilize the country, and encourage science and the fine arts, were indefatigable; and what is still more estimable in this monarch was, his attending to the improvement of the nation during the turmoil of war. He established the most extensive manufactures; formed the East India Company; built an observatory, and a printing-office in his palace for the publication of the best translations of ancient writers; sent out navigators

on voyages of discovery ; and, while he received at his court Cassini, Huygens, and the most distinguished foreigners who could adorn it, he encouraged native genius with liberality. He personally defended Boileau, Racine, and Molière against their enemies, provided for the family of Corneille, directed the *studio* of Le Brun and his contemporary artists, while he attached Lulli to his court, and gave Quinault the subjects of his operas ; pensions too were granted to all those who had contributed by their courage or their talents to the grandeur of the empire. He felt and knew that no sovereign can become popular unless national genius and talent meet with encouragement at court ; and that, thus fostered, national taste will improve more rapidly than by the degrading importation of foreign perfections. The greatest error of this prince was his neglect of the future, while engrossed by the glorious schemes of the present ; and his never thinking on the means that his successor might require to replenish the exhausted exchequer. His ambition had been to revive the Augustan age : his position, in reality, was not unlike that of the Roman Emperor ; Cæsar had become the master of the empire, and Henry IV. had consolidated his kingdom. Both princes ascended the throne surrounded by a warlike people that required civilization, and Colbert was to Louis what Mæcenas had been to his imperial

master; what is more singular is, the circumstance of their both being born in the same month, and dying nearly at the same age. It is to be lamented that, while the great mind of Louis encouraged the fine arts and literature, it should have been warped by superstition and bigotry; and the persecution of Protestantism, with the odious *Dragonades*, will ever be a blot upon his memory. We can only account for these atrocities by considering them as the terms upon which he obtained priestly absolution for his many vices.

It must certainly be acknowledged that duelling was discountenanced during the reign of this prince, and was much less frequent than under his predecessors; but I apprehend that this circumstance was more to be attributed to the rapid progress of civilization and polished manners, to which I have alluded, than to the severity of legal enactments. The refinement of manners that accompanied the quick advance of intellectual attainments materially tended to humanize society, and to make those who could reflect on the horrors of the past, blush at the fashionable countenance bestowed upon a practice which should have sunk into the grave with Gothic ignorance and barbarism. War was the sole occupation in savage times; and amongst barbarians, strangers to all the blessings of civilized life and social

enjoyments, personal and brute courage was the only claim to distinction and pre-eminence. Mandeville has fully illustrated such a condition of society in his fable of the Bees: "If we well mind what effects man's bravery, without any other qualifications to sweeten him, would have out of an army, we shall find that it would be very pernicious to civil society; for, if a man could conquer all his fears, you would hear of little else but rapine and violence of all sorts, and valiant men would be like giants in romance. Politics, therefore, discovered in men a mixed principle, which was a compound of justice, honesty, and all the moral virtues, joined to courage; and all that were possessed of it turned knights-errant, of course. They did abundance of good throughout the world, by taming monsters, delivering the distressed, and killing oppressors. But the wings of all the dragons being clipped, the giants destroyed, and the damsels everywhere set at liberty, (except some few in Spain and Italy, who remain still captivated by religious monsters,) the order of chivalry, to whom the standard of ancient honour belonged, has been laid aside for some time. It was like their armour, very massy and heavy; the many virtues about it served to make it very troublesome; and, as ages grew wiser and wiser, the principle of honour at the beginning of the last century (1600) was melted

over and over again, and brought into a new standard. They put in the same weight of courage half the quantity of honesty, and a very little justice, but not a scruple of any other virtue; which has made it very easy and portable to what it was."

Louis XIV, although the despotic chief of a monarchical government, was well aware that the point of honour should be held sacred amongst his armed followers, yet was he convinced of the necessity of tempering its brutality; while, as we have seen, he himself individually esteemed the illegal exhibition of personal courage, which his edicts condemned. When a courtier complained to one of the marshals that he had received a slap in the face, the general replied, "Then, sir, go and wash it off." The slap in the face was the subject of an amusing passage in Molière's play of the "Sicilian," where a character says, "My lord, I have received a slap in the face,—you know what a slap in the face is, when it is bestowed with open hand on the middle of the cheek; I have this slap on my heart, sir, and I am meditating which is the most advisable method to wipe off the affront, either to fight the fellow, or to get him assassinated." Montesquieu has observed, that in monarchical governments, "there is nothing that *honour* more strongly recommends than to serve the prince in a military capacity; in fact, this is

the favourite profession of honour, because its dangers, its success, and *even its miscarriages*, are the road to greatness: the *honour* of monarchies is favoured by the passions, and favours them in return; but virtue is a self-renunciation, which is always arduous and painful. This is the reason why we never meet with so strict a purity of morals in monarchies as in republican governments: in monarchies, the actions of men are not approved of as being good, but shining; not as being just, but great; not as being reasonable, but extraordinary; and honour allows of gallantry when united with the idea of sensual affection, or with that of conquest." This enlightened writer further adds: "We have only to cast our eye on a nation (England) that may be justly called a republic disguised under the form of a monarchy, and we shall see how jealous they are of making a separate order of the profession of arms, and how the military state is continually allied to that of the citizen, and even of the magistrate, to the end that the latter may be a pledge to their country, which should never be forgotten. Military men in England are regarded as belonging to a profession which may be useful, but is often dangerous; civil qualities are therefore more highly esteemed than military."

These sentiments are also those of one of the warmest advocates of duelling, Coustard de Massi, who thus expresses himself: "I own that

in republican governments the practice of duelling may be prevented, *because the courage of the people is sufficiently fostered by an enthusiastic love of their country;* which powerful incentive alone can elevate their troops to superior boldness, and make them perform such astonishing acts of valour as are to be found in the Greek and Roman histories:" but in monarchical governments our author maintains that duelling is indispensable. What a flattering encomium bestowed on despotism, where the passions of a profligate monarch are to be considered more commanding than the love of country and independence! What a lesson does not this quotation give to British duellists!

Moore has made, on this subject, the following judicious observations: "Some have asserted that we should become a pusillanimous nation if a less stress were laid than is at present on that species of personal courage which is exhibited in the duel. But the annals of all ages afford us a sufficient proof and consolation, that in all cases of emergency the free-born subjects of a free nation, through that natural enthusiasm which a love of their country inspires, will strain every nerve of courage in defence of their liberty or warlike glory, without having been previously disciplined in the school of duelling and modern honour."

The frequency of duels in the United States

may be adduced in opposition to the foregoing opinions; but this objection by no means holds good. America is still a young country; and society, although it is making rapid strides towards a higher state of civilization, is still under the influence of rude and unpolished manners and prejudices, which a superior education and more enlightened times alone can remove: and I feel confident, from the daily progression of improvement in those regions, that in half a century duels will be there of as rare occurrence, if not rarer than in Great Britain; and this progress will be in the ratio of that of literature and the fine arts, for bloodshed and murder, however qualified, are incompatible with the pursuits and the gentler occupations of peace. The sun of science will gradually dispel the mists of ignorance and prejudice, open the mind to the conviction of reason and of truth, and show that a stern republican may display a courtly polish without derogating from the independence of a free man, since courtesy of behaviour may be considered the natural result of superior education.

I have deemed this digression from the plan of this work excusable, as the reign of Louis XIV. may be said to have constituted an epoch in civilization: we shall see how far his successors sought to cultivate the advantages which it held forth.

We may say that with this reign terminated the practice of duelling, as founded upon ancient usages; and, as I have quoted Montesquieu, a further passage from this illustrious writer may be considered as a recapitulation of the grounds upon which the erroneous views of the *Point of Honour* were based.

"We find many strange enigmas in the legal codes of barbarians. By the law of the Frisons, half a sol was granted as a compensation for a man who had been beaten with a stick. By the Salic law, an *ingénu*, who gave three blows of a stick, paid a fine of as many sols; and, if blood was drawn, he was punished as though the injury had been inflicted with an iron weapon, and had to pay fifteen sols. The law of the Lombards established various compositions for one, two, or three or four blows; but now-a-days one blow is worth a hundred thousand.

"The constitution of Charlemagne, inserted in the laws of the Lombards, enacts that those who are allowed a duel should fight with sticks: this regulation was partially in favour of the clergy; and it is also likely that it was intended to render duels less sanguinary. In the Capitularies of Louis le Débonnaire, the combatants had the choice of staves or arms; subsequently it was only serfs who fought with cudgels.

"Already I see arising the particular articles

of our Point of Honour. The accuser commenced by declaring to a judge that a person had committed a certain action; the accused replied that he asserted a falsehood, and the judge ordered the battle. Thus was introduced the maxim, that the lie demanded a combat.

"When a man had once declared that he would fight, he could not avoid the necessity; and, if he withdrew from the obligation, he was subject to a penalty. Hence arose the rule, that, when a man had once pledged his word, he could not retract it without dishonour.

"Gentlemen fought with each other on horseback, and with their arms; while villains fought on foot, and with staves. Hence a stick was considered a weapon of degradation, since a man who had been struck with it had been treated like a villain.

"Moreover, it was only villains who fought with their faces uncovered, therefore they alone could receive a blow in the face: thus a slap in the face became an injury that could only be obliterated with blood, for the man whose face had been slapped had been treated like a low-born person.

"The German races were not less alive to this view of the Point of Honour; they were, if possible, still more punctilious: the most distant relations took part in disputes, and all their codes were founded on this principle. Ac-

cordingly, the laws of the Lombards ordained, that if a man, accompanied by his followers, went to assault another who was not upon his guard, to bring shame and ridicule upon him, he should pay one-half of the *composition* which he would have had to give in the event of his having killed him. Thus do we see our ancestors keenly alive to an affront; but they had no particular view of any affront of a specific nature as regards the weapon made use of, or the part of the body that was struck."

It is to chivalry that this eloquent writer attributes the rise of gallantry, when sentiments of love were associated with a sense of strength, valour, and protection; and this spirit was inherent in the practice of tournaments, which, uniting tender passions with noble deeds, gave to gallantry a greater importance than it would otherwise have obtained, had they merely been trials of skill and courage in a passage of arms; and to this day the term *gallant* is applied to a man brave, high-spirited in his bearing, splendid and magnificent in his appearance, and devoted to the service of the fair.

CHAPTER XI.

DUELS DURING THE EIGHTEENTH CENTURY.

During this century the social body in France underwent a total renovation and reform. A long despotism had brutalised the public mind, and rendered it unfit to receive any generous impressions, or to be capable of any noble reaction against tyranny. The nation was sick of glory, and of a magnificence which had drained its wealth: still, it murmured silently and moodily, until master-minds should appear, to bring these elements of discord into action. Apathy had succeeded energetic deeds, and indolence ushered in vice stripped of all its gaudy attractive fascination, and in all its natural baseness and turpitude. Philip d'Orleans, Regent of the kingdom during the minority of the fifteenth Louis, plunged the court into every possible species of debauch; and the polished gallantry of former days was succeeded by the most degrading excesses. Libertinism, in all its hideous deformity, no longer sought the concealment of a prudent mask; but profligacy was considered fashionable, consequently the pride and boast of

its votaries. Vice had become the reigning *ton;* and, where a blush was raised, it was upon the conviction of a virtuous action.

Abandoned to all the voluptuousness of a profligate court, the Regent displayed neither authority nor energy in repressing evils, and only considered the possession of power valuable as being the means of commanding fresh pleasures. The former edicts on duelling were now disregarded, since the laws were not enforced, and no punishment awaited their transgressors. Six weeks after the death of the King, two officers of the guards fought on the quay of the Tuileries in open day; but, as these young men belonged to families of the long-robe, the Duke d'Orleans, out of respect to the parliament, which he dreaded, merely removed them from their corps, and sentenced them to a fortnight's imprisonment. This duel had been fought about an Angola cat; and the duke, when reprimanding the parties, told them that in such a matter of dispute, it should have been settled with claws instead of swords.

Courtly intrigues now became frequently mixed up with duelling, and the jealousies and quarrels of fashionable women were the constant sources of disputes between their lovers. The court of honour, consisting of the marshals of France, an institution which we have seen established in the reign of Louis XIV, would

decline interfering when any of the parties were not of high birth or distinguished rank. An instance of this proud distinction occurred in the following case: "An abbé of the name of D'Aydie had fought with a clerk in the provincial department, at an opera-dancer's house, and wounded him. The Duchess de Berry, daughter of the Regent, immediately ordered that the Abbé d'Aydie should be deprived of his preferment, and obliged to become a knight of Malta. The scribe, on recovering from his wound, was constantly seeking his antagonist, who was compelled to fight him four times, until the duchess brought the parties before the court of honour, presided over by Marshal de Chamilly; who, upon hearing of the condition of one of the parties, exclaimed, 'What the deuce does he come here for?—a fellow who calls himself *Bouton*—do you presume to think that we can be *your* judges? do you take us for bishops or keepers of the seals?—and the fellow too dares to call us *my lords!*'"

To understand these punctilious feelings, it must be remembered that the marshals of France were only called *my lords* by the nobility, being considered the judges of the higher orders; and such an appellation from a *roturier* was deemed an affront.

This D'Aydie, it should also be known, was the lover of the Duchess de Berry, who natu-

rally feared that the low-bred clerk might deprive her of her paramour by an untimely end. The tribunal recommended the Regent to imprison the lover of his daughter, as a punishment for having fought a low-born fellow, who, on account of his ignoble condition, was discharged as beneath their notice. The duchess, however, did not approve of this finding of the court; but, after procuring the liberation of her favourite, pursued the unfortunate clerk with such rancour that she at last got him hanged; thereby exciting, according to Madame de Crequi, "the horror and the animadversion of all Paris." Strange to say, this despicable princess died a month after, on the very same day that the clerk was hanged: the execution took place on the 19th of June, and she breathed her last on the 19th of July!

A duel took place between Contades and Brissac, when both were wounded, in the very conservatories of the palace. After a few days' concealment, they appeared before the parliament as a mere matter of form, and Contades was made a marshal of France. Another duel, fought in open day on the quay of the Tuileries between two noblemen, Jonzac and Villette, was also passed over with little or no animadversion; and Duclos, in his Secret Memoirs, asserts that the Regent openly insinuated that duelling had gone too much out of fashion.

Duelling was not only resorted to by men of the sword, but by men of finance; and the celebrated Law of Lauriston, who was placed at the head of this department, had commenced his famed career by several hostile meetings. Howbeit, he so managed matters as not to compromise the security of his gambling-house, in the Rue Quincampoix, by quarrels, although an assassination ultimately exposed this *hell* to a serious investigation. One of the murderers was a Count Horn, a Belgian nobleman of distinguished family; but who, notwithstanding the powerful interest made in his behalf, was sentenced to be broken on the wheel. The Regent in this case was inflexible, nor would he even commute the punishment into a less degrading execution. This firmness was attributed to his partiality for his creature Law, whose bank was of great assistance to his constant debaucheries. Madame de Crequi, who was a relative of the criminal, and who exerted her best endeavours to save him, attributes this murder of what she calls "the Jew who had robbed him," to other motives; and asserts that his Highness's implacable hostility arose from having once found him with one of his favourites, the Countess de Parabère; when the duke disdainfully said to him, "*Sortez, Monsieur!*" to which the other replied, "your ancestors, sir, would have said *Sortons!*"

Voltaire attributes a similar reply to Chalot, when placed in the same situation with the Prince de Conti. Madame de Crequi exonerates herself from the suspicion of having misapplied the repartee, by observing, "there once lived an old Jew called Solomon, who maintained that there was nothing new under the sun."

Madame de Crequi and other writers of the times affirm that duels had become so frequent that nothing else was heard of, and desolation and dismay were spread in numerous families. Amongst the victims of this practice was another lover of Madame de Parabère, and rival of the Regent, the handsome De Breteuil. It appears that the countess was unfortunate in her attachments, as many others of her favourites met with a similar fate.

It has been truly said by historians, that Louis XV. received from the hands of the Regent a sceptre stained by corruption, and a crown dimmed by depravity. He found a court composed of libertines, and females of the most abandoned character. His guides and counsellors were steeped in vice; and it would have required, perhaps, more than mortal power to have resisted the pestilential influence of such an atmosphere of prostitution. The commencement of his reign, however, was marked by a display of good qualities that obtained for him

the flattering distinction of the Beloved, "the *Bien-aimé*," an appellation far more desirable than that of Great, which had been applied to his predecessor. Little was it then thought that ere long he would show himself the Sardanapalus of his age.

In the first year of his reign he applied himself to check the practice of duelling, and issued an edict in which it was provided that any gentleman who struck another should be degraded from his rank and forfeit his arms; and he solemnly declared that he would keep most religiously the coronation oath, by which he had bound himself to enforce these laws in all their rigour. But, alas for coronation oaths! they appear to have been in the annals of every nation but too often mere formal professions.

We find, however, that in pursuance of this resolution, the parliament of Grenoble condemned to the wheel one of the counsellors for having killed a captain in the army; but, as the offender had made his escape, he was only executed in effigy, and the arm of justice fell upon his unfortunate servant, who was branded and sent to the galleys.

The prince of duellists in these despicable times was the celebrated Duke de Richelieu, who was certainly ever prompt to give satisfaction for the injuries he inflicted on the peace of families. During the regency, and when

only twenty years of age, he fought the Count de Gacé in the street under a lamp; in this night affray both parties were wounded. Parliament interfered; but the Regent, to screen his favourite, sent him for a few days to the Bastille.

This worthy, at one time being anxious to fight the Count de Bavière, set out from Paris with his followers to waylay him on the road from Chantilly; and, for the furtherance of his project, obstructed and barricaded the road with his equipages. The parties met, and high words arose between the coachmen and the servants of both parties, when the masters stepped out of their carriages and drew their swords. However, they were separated by the Chevalier d'Auvray, who was lieutenant of the marshals of France, and whose duties were to prevent all duelling, and bring offenders before their tribunal.

Such was the case in this instance. All the noble youth of France was assembled, with their heads uncovered and without their swords, in the hall of meeting of the Point of Honour; and Richelieu was ordered to make an ample apology to the Count de Bavière.

This ceremony did not appear to affect the duke very sensibly, as appeared by his adventure with the Count Albani, nephew of Pope Clement XI, who was on a visit at the French

court, and was most anxious to become acquainted with the Marquise de Crequi-Blanchefort, a lady not easy of access. Foiled in various attempts, he consulted Richelieu, who advised him to disguise himself as a servant, and to wait upon the marquise in that capacity, with strong letters of recommendation, which he gave him. So far the scheme succeeded, that Albani was taken into her service; but soon after he undeceived his supposed mistress by an avowal of his passion, for which he was forthwith dismissed with ignominy. Richelieu pretended to be ignorant of the transaction; but, the share he had had in the disgraceful business being proved, he was again sent to the Bastille. On his quitting the fortress, the young Marquis d'Aumont, a relation of the marquise, called him out, and so severely wounded him in the hip, that at one period his recovery was despaired of, and it was thought that he would remain a cripple.

In 1734 he fought and killed the Prince de Lixen, although one of his own relations, while they were both serving at the siege of Philipsbourg. The cause of this duel is too curious to be omitted, as the prince had himself killed the Marquis de Ligneville, uncle of his wife.

The party were at supper at the Prince de Conti's. Richelieu, who had been exceedingly fatigued during the day, was very much heated, and some drops of perspiration were observed on

his forehead. The Prince de Lixen, offended by several of the duke's witticisms, observed, "that it was surprising that he did not appear in a more suitable state, after having been purified by an admission into his family:" Richelieu having allied himself with the house of Lorraine by marrying the Princess Elizabeth Sophie, daughter of the Duke de Guise; whereas his (Richelieu's) original name was simply Vignerod. Such an insult could not be tolerated. At midnight they met in the trenches, when De Lixen fell.

Amongst the other fashionable *roués* of the day was Du Vighan, from Xaintonges, whose handsome appearance was so fascinating, that hackney-coachmen are said to have driven him without a fare, for the mere pleasure of serving such a *joli garçon*. Another anecdote is related, of a tailor's wife, who called upon him for the payment of four hundred francs, due to her husband; but his attractions were such, that she left behind her a bill for three hundred. Although of middling birth, he sought to attract the notice of the King, who granted him letters of nobility on his appearance. This fortunate youth was constantly involved in law-suits, wherein he always contrived to win his cause. So successful was he in all his undertakings, that the Archbishop of Paris called him "the serpent of the terrestrial Paradise." The name he was usually known by was *Le Charmant;* and Madame de Crequi was

obliged to acknowledge that she only mentions him *qu'à son corps défendant.*

It was of course of the utmost necessity that such a charming gentleman should be constantly engaged in some duel; and his fascinations seemed to operate as powerfully on the marshals of France constituting the court of honour, as on the hearts of the ladies of the court, for he was invariably acquitted.

His sword, however, was not always as successful as his features and manners, for he received from the Comte de Meulan a severe wound that endangered his precious life. On his recovery he had the presumption to pay his addresses to Mademoiselle de Soissons, a young princess of great beauty; who became so enamoured of her admirer, that her aunt was obliged to shut her up in a convent at Montmartre, under the surveillance of one of the provost's officers. But bars and locks could not keep out such a Lothario; and, a letter and a rope-ladder having been discovered, the lady's family applied to the Baron d'Ugeon, one of their relatives and an expert swordsman, to bring the youth to reason. The challenge was sent and accepted; but the meeting did not take place, in consequence of the fatal malady of the King, upon whom Du Vighan attended to the last.

The monarch dead, Du Vighan lost no time in

seeking his adversary, who inflicted two dangerous wounds in his right side. Notwithstanding the severity of the injury, he contrived to scale the walls of the abbey of Montmartre to his beloved princess; but he was obliged to spend the night under the arches of the cloisters, the young lady having been shut up. During this painful vigil his wounds broke out afresh; and the hemorrhage was so profuse, that he was found there a corpse the following morning. The body was carried home, and a report spread abroad that he had died of the small-pox, caught from the King during his attendance on the royal sufferer. Although the princess grieved pretty nearly unto death, yet she at length consoled herself by marrying the Prince de Cobourg.

St. Evremont was another celebrated duellist of this period: he had *discovered* a particular thrust, which was honoured with his name, and called *la botte* de St. Evremont.* This *brave* was witty and capricious, and would accept or refuse a challenge according to the fancy of the moment. St. Foix was his rival in this pursuit of an *honourable name.* Some of his duels were remarkable. One day, at the Café Procope, at dinner-time, he saw a gentleman seated at a *bavaroise,*† and he exclaimed, "That is a confounded bad dinner for a gentleman!"

* *Botte,* in fencing, means a pass.

‡ A *bavaroise* is a mixture of orgeat and tea.

The stranger, thus insulted, insisted upon satisfaction; which was granted, when St. Foix was wounded. Notwithstanding this injury, he coolly said to his antagonist, "If you had killed me, sir, I still should have persisted in maintaining that a *bavaroise* is a confounded bad dinner."

Another time he asked a gentleman, whose aroma was not of the most pleasant nature, "why the devil he smelt so confoundedly?" The offended party sent him a challenge, which St. Foix refused in the following terms: "Were you to kill me, you would not smell the less; and were I to kill you, you would smell a great deal more!" One day, meeting a lawyer whose countenance did not please him, he walked up to him, and whispered in his ear, "Sir, I have some business with you." The attorney, not understanding the drift of his speech, quietly named an hour when he would find him in his office. The meeting was of course most amusing; the expression of St. Foix being, "that he wanted to have an *affaire* with him," a term which is equally applicable to a duel and a legal transaction.

About this period a curious quarrel arose between two gentlemen of the names of Bricqueville and La Maugerie, about the sale of a house: the affair commenced with kicks and cuffs, and was terminated with sword and pistol. The

finding of the Constabular court was remarkable: declaring Bricqueville guilty of having *excédé* La Maugerie with various sword-wounds, fining him in the sum of one hundred francs, and fixing the costs at thirty-six thousand; condemning him, moreover, to live at a distance of not less than thirty leagues from the town of St. Lo for a period of twenty years. This law-suit lasted four years!

Such was the state of duelling during this disgusting reign and its preceding regency: one might fancy that the putrid malady that terminated the inglorious existence of the monarch was typical of the corruption of his government and his degraded minions; his putrescent remains, which repelled the courtier from the regal bier, were emblematic of his court. It was this reign that in a great measure paved the fearful high-road to the French revolution. It has been truly observed by a late writer, that, in France, glory alone can reconcile the nation to tyranny. This has been fully proved during the reigns of the fourteenth Louis and Napoleon: the yoke of the great French monarch had been oppressive and galling, but it had been padded with laurel leaves; the yoke of his successor was comparatively light, yet it seemed of iron, and the people winced under its fretting sway. The nation forgave their warlike sovereign when he said, "I am the

state;" nay, the insulting expression flattered their crouching vanity: but when a despicable tutor told his grandson, "Sire, this people is your property!" the Bastille was undermined, and the Louvre doomed to be overthrown. A voluptuous prince, who sleeps confidingly on his downy couch, may be convinced that the people are awake on their bed of straw; the luxurious comfort of the eider-down should never make him forget that thousands are sleepless on a miserable pallet: sooner or later the crown must be abdicated when a court becomes the type of corruption, and the diadem will be picked up by the iron hand of a soldier, after having been borne for a short while in triumph by the mob.

Such were the destinies of France, destinies which still influence the world. If corruption destroys, it will also create; and it is in general during the effervescence of a nation that individuals of gigantic powers arise upon the surface from the fermenting mass. I cannot better describe the rise of some of the most extraordinary characters of the period alluded to, than in the words of a late writer.

"The first figure that appears, and dominates over the century, was Voltaire. He was the literary monarch of his times, and held at Ferney an European court: he corresponded with various sovereigns, and exchanged with them

the incense of flattery in return for more solid gifts; for there is no doubt that Voltaire received from crowned heads a more substantial reward of his services than their fulsome praise.

"The weapons of Rousseau, his rival, were more logical; his were sarcastic,—an arm less dignified, but the most powerful in France. Rousseau was admired, Voltaire produced enthusiasm: the one addressed the understanding, the other spoke to the passions. The one fenced dexterously with a sword, the other stabbed the social body with his dagger. The Genevese Heraclitus, although far more eloquent, was much less popular than the Democritus of Ferney. Vain, frivolous, vicious, and immoral; cynical in his countenance, essentially a mocker and a scoffer, faithless in controversy, violent in polemical discussion, vindictive and implacable, yet the flatterer of power, abject and crouching at the footstool of kings, their favourites, and their mistresses, and ever courting aristocratic distinction and drawing-room favours: Voltaire was, in short, the personification of his time.

"Rousseau, more austere, was gathered up in the dignity of the man and the philosopher. His logic was inflexible, and he carried it to its utmost limits. Rigorous and absolute in principle, he not unfrequently wandered in the exaggeration of results, and boldly laid down theo-

ries without duly considering how far they might prove practicable. In politics he appeared rarely to have contemplated the present; but his eagle-eye sought to pierce into futurity, and gaze upon the splendour of a republican democracy.

"Rousseau prepared a political reform. Voltaire operated a revolution in religion, attacking its influence with insult and mockery. Philosophy, handled by him, became sophistical and narrow; but nevertheless, as Chateaubriand observes, it disengaged Christianity from its trammels, to restore it ultimately to all its purity."

While thus endeavouring to accelerate a reform in the social order, Rousseau was most energetic in denouncing the practice of duelling; and the following are his memorable remarks on the subject:

"Beware how you confound the sacred name of honour with that ferocious prejudice which places virtue on the sword's point, and which is only calculated to make brave ruffians.

"And what constitutes this prejudice?—the most extravagant and barbarous idea that ever entered the human mind; fancying that all social duties will find a substitute in valour; that a man ceases to be a rogue, a cheat, a slanderer, and becomes civilized, humane, and polite, when he knows how to fight! that false-

hood becomes truth, theft legitimate, treachery and perfidiousness praiseworthy, so soon as he can maintain these qualities sword in hand! that an insult is wiped away by the wound of a sword, and that you can never be in the wrong when you have killed your adversary! There does exist, I admit, a sort of affair in which politeness is combined with cruelty, and where people only kill each other by chance; and this is when men fight for the *first blood*. The first blood! good God! And what dost thou want with this blood, ferocious beast? dost thou want to drink it?

"The bravest men of antiquity never thought of avenging injuries by single combat. Did Cæsar send a challenge to Cato, or Pompey to Cæsar, after the repeated affronts that they both had received? Was the greatest captain of Greece dishonoured when struck with a staff?

"The upright man, whose life has been spotless, and who never betrayed any symptoms of cowardice, will ever refuse to soil his hand by homicide, and will not be the less honoured. Ever prompt to serve his country, and to afford protection to the weak; to fulfill the most perilous duties, and to defend at the price of his blood everything that is just, honest, and dear to him; he will display in every act of his life that unshaken fortitude which is ever the at-

tribute of true courage. Secure in the consciousness of his integrity, he will step out with head erect, and neither seek nor shun an enemy: he fears death much less than a foul deed, and dreads a crime more than danger. If vile prejudices assail him for a time, every day of his honourable life is a witness to defend him, when all his actions are judged by each other.

"Those captious persons who are so ready to provoke others are in general dishonest men, who, under the apprehension that they will meet with the contempt they deserve, endeavour to shield by an affair of honour the infamy of their entire life.

"Such a man will make a single effort, and face the world *once*, that he may remain concealed for the *remainder of his days*. True courage possesses more constancy and less anxiety. It is ever what it should be, and requires neither excitement nor restraint. The upright man never moves without it,—in battle with the enemy, in society, in advocating the cause of the absent and of truth; on his couch, in bearing with fortitude the attacks of pain and of death. The strength of mind that inspires this quality belongs to every age; and, ever placing virtue above worldly wants, it seeks not the combat, but it dreads no danger."

In this moral revolution the strangest event

was, to behold those whom it was most likely to affect becoming powerful auxiliaries to the contemplated reforms, reforms in which they were doomed to perish. Still they rushed like men stricken with blindness into a new order of things,—a new state of society; tired of the old one, and, from having been sceptical in their sensuality, became sceptical in ideas and in doctrines, until the ruinous ancient social fabric crumbled over their devoted heads.

The emancipation from slavery and oppression should be gradual. A sudden freedom maddens, as a sudden restoration of sight will dazzle and blind again. Liberty thus conferred has been justly compared to weapons that recoil upon those who wield them. In the mouth of some of these innovators, sophistry extenuated crimes; and Helvetius maintained "that every act was legitimate to ensure public safety." To which Rousseau replied, "that public safety was not worth considering, when individual security could not be obtained."

While such opinions were promulgated by philosophers, what were the ideas of honour that prevailed at Versailles and the Tuileries? In abject submission to an abject master, they were comformable to those entertained by the royal cook Vatel, who destroyed himself because the fish had not arrived in time for his sovereign's

dinner; a catastrophe which was admirably described by Berchoux in the following lines:

Tout le soin des festins fût remis à Vatel,
Du vainqueur de Rocroy fameux maître d'hôtel.
Il mit à ses travaux une ardeur infinie,
Mais, avec des talents, il manquait de génie.
Accablé d'embarras, Vatel est averti
Que deux tables en vain réclamaient leur rôti;
Il prend pour en trouver une peine inutile.
"Ah!" dit-il, s'adressant à son ami Gourville,
De larmes, de sanglots, de douleur suffoqué,
"*Je suis perdu d'honneur*, deux rôtis ont manqués!
Un seul jour détruira toute ma renommée.
Mes lauriers sont flétris; et la cour, alarmée,
Ne peut plus désormais se reposer sur moi:
J'ai trahi mon devoir, avili mon emploi!"
* * * * *
O vous, qui par état présidez aux repas,
Donnez lui des regrets, mais ne l'imitez pas.

Can we indeed be surprised at the indignation which must have fired every liberal bosom when beholding, not only the insolence of the aristocracy, but the vices of sovereigns and the crimes of ministers, becoming subjects of general admiration, and even eulogised in the pulpit? —when a prelate like Fléchier declared in his funeral oration on Cardinal Richelieu, that God had bestowed upon his soul those excellent gifts that fitted him to rule the world, and bring into action those secret springs which he ordained to elevate or overthrow, in his eternal decrees, the power of kings and kingdoms! The same

eloquent declaimer, in quoting the virtues of Mazarin, tells his congregation that he had taught the art of governing, and the secrets of royalty, to the first monarch in the world! Can we wonder then, that, living under such a celestial sway, a cook should commit suicide when unable "to set a dainty dish" before his King?

CHAPTER XII.

DUELS DURING THE REIGN OF LOUIS XVI.

It has been truly said, that the virtues of the unfortunate Louis XVI. were an anachronism in the dissolute court that surrounded him. The most short-sighted observer could behold the gathering storm, and foresee that a national convulsion was drawing nigh. In taking a retrospective view of the past, no confidence could be placed in the present, and futurity was involved in a fearful gloom. Despotism had been concentrated under the sway of Louis XI. and Louis XIV; but, during the reign of Louis XV, the parliament had recovered the power usurped by his predecessor, who let no opportunity escape of showing for that assembly, his sovereign contempt. A struggle for power now commenced between the parliament, the clergy, and the court; and the people, exhausted by war and taxation, calmly looked on, until they were roused by the contending factions to throw the weight of brute force into the scale of the doubtful preponderance. At this period, preg-

nant with future events of vital moment, the parliament persecuted the clergy, which in turn opposed their vexations; and both parties set at defiance the authority of the court, which appeared to be sunk into a state of luxurious apathy, and calmly looked on the approaching storm, without having recourse to any prudential measures to meet its impetuosity.

While the country was thus torn by discord, no harmony prevailed in the palace. The monarch had selected a minister who could not agree with his consort, and opposed all his measures, until Turgot succeeded him. Turgot, a virtuous upright man, endeavoured to operate a reform, but all parties who had thriven on corruption soon drove him from the helm of public affairs. Necker sought to pursue the reform that his predecessor had planned, and for a moment seemed to inspire confidence, until the upper classes, uniting their efforts against him, compelled the unwelcome speculator to resign his post; and, finally, the active enterprising Calonne, failed in re-organizing the wreck of the empire.

To use the language of a French writer, "Louis XVI. was not sufficiently understood by the nation, but was too well understood by the court." Thus he was exposed at the same time to popular prejudices against him and to patrician hostility, and rendered answerable for the errors

Condé

Louis Joseph de Bourbon

of his predecessors. An apparent calm reigned in the nation, but it was that gloomy sultry tranquillity that precedes a storm. The mind of every class of the community was too deeply absorbed in reflection to admit of the influence of private differences. The practice of duelling, meanwhile, seemed to be confined to the soldiery. The sword was no longer worn as a mark of distinction in society; and this weapon of a gentleman, which in former times was always at hand, and drawn on the spur of the moment, was now laid aside, and only sought for with premeditation.

This pacific period was of short duration. The pales which had divided society into castes were gradually overthrown, and rank no longer became an excuse for refusing satisfaction to an inferior.

One of the first affairs of honour under this monarch was the celebrated duel that took place between the Comte d'Artois* and the Prince de Condé. At a ball given at the Opera on Shrove Tuesday in the year 1778, the Comte d'Artois appeared, giving his arm to Madame de Carrillac,—both masked. The Duchesse de Bourbon (Princess of Orleans) recognised them, and followed them, addressing the parties in a sarcastic style, which, although warranted by the usages of a masquerade, were not the less offensive. The hostile feelings of the duchess were

* The late Charles X.

attributed to two most powerful motives. Madame de Carrillac had been the mistress of her husband, whom she had quitted for the Comte d'Artois, to whom the duchess herself was not indifferent. Madame de Carrillac, thus annoyed by the duchess, contrived to effect her escape through the crowd; when the duchess with unbridled fury endeavoured to tear off the mask from the count, who, forgetting at the moment his usual gallantry and the privileges of the fair sex, crushed the mask of the duchess on her face, and rushed out of the ball-room.

This adventure was hushed up for a few days, when the duchess stated to her numerous guests at her supper-table that the conduct of the Comte d'Artois had been that of a ruffian, and that she had felt disposed at the time to call in the guard to apprehend him. All the women at court whom the count had slighted, rose up in arms against him, the brutality of his conduct became the subject of conversation in every circle, and the general opinion was, that he could not avail himself of his rank to refuse the satisfaction that such a public insult to a woman demanded. It was of course concluded that it became indispensable on the part of the Duke de Bourbon to call out the offender.

Howbeit, the King ordered the Duke and Duchess de Bourbon to attend him in his closet, where they met the Count d'Artois; when he

commanded that no notice should be taken by any of the parties of what had occurred. The duke wished to enter into some explanation, but was instantly silenced by the monarch.

This decision did not satisfy the duchess and the ladies of the court. The Baron de Besenval was sent for by the Queen, who asked him what her brother was to do under existing circumstances: the baron replied that he saw no other alternative than a duel; to which Marie Antoinette replied, "I am of the same opinion, and the King agrees with me; but do you think that my brother will adopt this course?" Besenval replied, "that the count was ignorant of all that was said on the subject; but that he should consider it his duty to make him acquainted with the public opinion, as he would rather see him dead than dishonoured;" adding, "that, as it was an affair of great moment, he would previously consult with De Crussel, captain of the prince's guards." "Do so," replied the Queen, "and settle this affair between you."

Besenval having met De Crussel at the Comte Jules de Polignac's, it was decided that a meeting should take place; it being at the same time proposed, that, so soon as swords were drawn and crossed, De Crussel should produce an order from the King to separate the combatants. With this suggestion Besenval would not comply,

justly observing, "Pray, gentlemen, are you going to make the prince play in a farce? I never will consent to such an arrangement;" to which De Crussel replied, "that it was quite sufficient for the prince to go to the ground, and that the sovereign had then the right to prevent bloodshed." This opinion was also that of Polignac and Vaudreuil, who were present.

Besenval lost no time in seeking for the Comte d'Artois, to acquaint him with all that had taken place, when a meeting was decided. The following day the count went to the Bois de Boulogne, attended by De Crussel, who had placed the prince's best sword in the carriage. Arrived at the wood, they perceived the Duke de Bourbon surrounded with several gentlemen: upon seeing him the count alighted, and stepping towards him said, "I understand, sir, that the public say that we are seeking each other?" to which the duke replied, taking off his hat, "I am here, sir, to receive your commands:" to which polite reply the count answered, "I am here, sir, to fulfil yours."

After this courteous preamble both parties drew their swords; when the duke observed, "You are not aware, sir, that the sun shines full upon you." "You are right," answered the count; "we had better proceed to that wall, where we shall find more shade than under these leafless trees."

The parties then placed their drawn swords under their arms, and proceeded, conversing with each other, to the appointed spot, followed by their two seconds, all other persons keeping at a distance. M. de Vibraye, second of the duke, observing that they had both kept on their spurs, which might prove inconvenient, the seconds immediately proceeded to unbuckle them; and, while so doing, De Vibraye had an eye nearly put out by the point of the duke's sword. The spurs being off, the duke asked the prince's permission to take off his coat; to which proposal the Comte d'Artois not only acceded, but threw off his own.

Several lounges had passed between the parties, and D'Artois was evidently becoming impatient and flushed, when the duke was observed to stagger; and the seconds, thinking that he had been wounded, interfered, and begged the parties to suspend all further hostility. The count replied, "It is not for me to offer any opinion; it is for M. le Duc de Bourbon to express his wishes, I am here at his orders." The duke immediately lowered his sword, and replied, "I feel penetrated with gratitude at your kindness, and shall never forget the honour that you have conferred on me." The Comte d'Artois then opened his arms, and the duke flew into his embrace.

After this harmless meeting, at the sugges-

tion of the Queen and the Baron de Besenval, the count repaired to the Palais Bourbon, and made an ample apology to the insulted duchess. The punishment awarded to the combatants was an exile of a week; the count at Choisy, and the duke at Chantilly. Thus ended this celebrated duel, which has been much misrepresented by different writers, influenced by party spirit. There is no doubt that, in the whole transaction, the Comte d'Artois behaved with becoming firmness and gentlemanly feeling: and there is not the least foundation for the story of a bloodless meeting having been pre-arranged, although it is not improbable that the Duke de Bourbon was satisfied in defending himself, without a wish of injuring his antagonist; which was the more easy, as he remained cool, while the count was evidently excited.

This transaction affords a vivid picture of the corruption and manners of the times. A woman of the highest rank insults another woman who had been her husband's mistress; not on that account, but for having become the mistress of another man, to whom she herself was attached: and the foolish husband is made to peril life and liberty by fighting the real object of the dispute, who had so far lost sight of all gentlemanly deportment as to insult a female by actually inflicting a blow!

The Prince de Condé, father of this Duke de

Bourbon, had also had a hostile meeting with the Vicomte d'Agout, a captain in the Guards. This officer had been paying court to a young widow of the household of the Princess de Condé, and had promised to marry her : having, however, discovered that she had bestowed her favours on the prince, he bitterly reproached her with her duplicity, and retracted his engagement. The lady complained to her protector, who directed that D'Agout should resign his situation of captain in his Guards. That officer immediately tendered his resignation into the prince's hands, and at the same time requested to know what part of his conduct had exposed him to disgrace. To this request the prince replied, "that he would not keep in his service liars and calumniators:" to this severe observation D'Agout answered, "Your highness is aware that, when I took the liberty of putting this question, I was no longer in your highness's service, and will be pleased also to recollect that I am a gentleman." "I understand you, sir," replied the prince; "and am ready to maintain what I have asserted, in whatever manner you may think proper."

"Then," replied D'Agout, "I depend upon your highness's kindness;" and he lost no time in repairing to Versailles to secure some protection in the event of a fatal result. Having succeeded, he presented himself at the carriage-

window of the prince, who was changing horses at Sèvres, and said to him, "My lord, I came to receive your highness's orders." "Then, sir," answered the prince, "at nine o'clock to-morrow morning I shall be at the entrance of the Bois de Boulogne, near the Maillot gate."

D'Agout, as might be expected, was punctual in his attendance, accompanied by his brother. The prince soon after made his appearance, and first placed in the hands of his adversary a declaration of his having been the aggressor, with letters of recommendation to foreign powers for protection, in the event of a fatal issue of the meeting, which might render his quitting the kingdom advisable.

D'Agout, having returned his grateful thanks for this courteous proceeding, then threw off his coat; on which the prince observed, "No doubt, sir, by taking off your coat, you expect that I should do the same." To which D'Agout replied, "I have no right to demand anything from your highness, as I trust implicitly in your honour, and was only anxious to afford your highness a proof of mine."

The prince immediately took off his coat, and swords were soon crossed. The offended captain fought with that desperate determination which his critical position inspired, and the prince was slightly wounded; when the seconds interfered, and parted the combatants. A short

time after this meeting, D'Agout was promoted by the prince to the rank of major in the Guards. The King, on this occasion, scarcely knew how to act: but the people viewed the duel, between a prince of the blood and an individual of an humble rank, as a sign of the times, and the sacrifice of olden prejudices to the novel innovations in manners that gradually appeared to level all distinctions; while the chivalric portion of the nation compared the Prince de Condé to Francis I.

It was during this reign, and the latter part of the preceding one, that the singular personage, Le Chevalier d'Eon, made his appearance. He was born at Tonnerre in 1728; and had been successively a lawyer, a censor, a political writer, a captain of dragoons, a diplomatist, and a fencing-master. It was under the cloak of the last profession, when giving lessons of fencing to the Grand Duke of Russia, that he was entrusted with a secret and delicate mission; which he fulfilled with so much success, that he obtained the title of secretary of embassy, the rank of captain, and the cross of St. Louis. He was subsequently sent to England as minister plenipotentiary, to ratify the treaty of 1763.

This D'Eon was most expert in all deeds of arms, and had fought several duels, in which he always came off successfully. When attached to the French legation in London, he thought

proper to give his ambassador, the Count de Guerchy, a slap in the face; and, on complaint being made to the cabinet of Versailles of this desperate conduct, it was decided that he should be seized, and carried over to France. D'Eon, however, being apprised of this project, sought refuge in the city; where he was taken up for a breach of the peace, having fought with another Frenchman of the name of Vergy, in the open street and at noon-day.

The circumstance which gave rise to the report that he was a woman, was singular; and originated from a thrust he received in the breast from a foil while fencing: a mammary tumour arose, which required extirpation, and it was immediately reported that D'Eon was a female in disguise. This report gained credence from his affected indifference in removing the erroneous impression, and his repeated refusal to give a satisfactory reply to questions put to him on this doubtful subject.

Various are the reported motives of his subsequent assumption of female sex and attire. By some it was attributed to an order from the Duc d'Aiguillon, minister of foreign affairs, prohibiting his appearance in France except in a female dress; while D'Eon pretended that he had assumed this costume to preserve the honour of De Guerchy, whose face he had slapped. Others asserted that he wore this disguise to enable

the cabinet of Versailles to throw the blame attached to the treaty of 1763 on a woman. Howbeit, he only made his appearance in France after the deaths both of D'Aiguillon and Guerchy; and on his return to Paris presented a memorial to Maurepas the then minister, praying that the order which enjoined him to wear female attire might be revoked, and the following was the strange tenor of this application:

"I am under the necessity of humbly submitting to your lordship that the period of my female noviciate is expired, and that it is impossible that I should become a professed. I have been able, in obedience to the orders of the late King and his ministers, to remain in petticoats during peace; but that is quite out of the question in time of war. It is necessary for the honour of the illustrious house of De Guerchy that I should be allowed to continue my military services; such, at least, is the opinion of the whole army and the world. I have always thought and acted like Achilles; I never wage war with the dead, and I only kill the living when they attack me."

The Count de Guerchy, whom he had mortally insulted, was dead; but his only son was living, and anxious to wipe off in D'Eon's blood the unavenged insult offered to his family; when the countess his mother, justly apprehensive of the issue of a meeting between the young count

and the most experienced swordsman in the country, supplicated the minister to exert his influence and reject the application of the dubious D'Eon. The injunction to wear a female garb was renewed; and the pension of five hundred pounds per annum, granted to him by Louis XV, was continued on this condition. This strange position exposed our disguised hero to many curious scenes and insults; and, having one day involved himself in a serious quarrel at the play-house, he was sent a close prisoner to the citadel of Dijon.

At the revolution of 1789 D'Eon returned to England, where he gave lessons in the sword exercise; and on several occasions fenced in public, and not unfrequently with the Prince of Wales. This extraordinary person died in London in 1810, at the advanced age of seventy-nine; when the celebrated medical friar and favourite of Carlton House, Père Elysée, after a *post-mortem* examination, put the mooted question beyond further doubt by the official assertion of the manhood of the defunct.

The rival of the Chevalier d'Eon, both in swordsmanship and fashionable popularity, was the Chevalier St. George, a man of colour, son of M. de Boulogne, a receiver-general of Guadaloupe, and a negress; and who at an early age was placed in the hands of La Boissière, the celebrated fencing-master. His skill

in arms and his numerous duels rendered him such a favourite amongst the ladies, that his dark complexion and woolly head were forgotten. He was soon appointed equerry to Madame de Montesson, whom the Duke of Orleans had privately married; and then captain in the guards of his son, the Duke de Chartres. In 1776 he was anxious to become manager of the Opera; but the actresses and dancers, headed by Mesdemoiselles Arnould, Guimart, and Rosalie, supplicated the Queen not to degrade the dignity of the Royal Academy of Music by placing it under the direction of a mulatto. The Queen yielded to their supplication; and St. George felt so much offended at this interference, that it was to a vindictive feeling against that unfortunate princess that his exertions in the revolution against the royal family were attributed. He was foremost in the popular meetings of that period, and was sent to the emigrants at Tournai on a secret mission by the Duke d'Orleans; a service of considerable danger, and one in which he would have forfeited his life but for the governor of the town, who enabled him to effect his escape. After this he raised a regiment of light cavalry, which he commanded under Dumouriez, whom he afterwards denounced to the Convention. Notwithstanding his jacobinical exertions, he would have been sacrificed in his turn, but for the 9th Thermidor, which liberated him

from prison. St. George died in a state of poverty in 1799, at the age of fifty-four. He was justly considered the first swordsman and the best shot of his time. One of his feats was throwing up two crown-pieces in the air, and hitting them both with his pistols. He was an excellent musician, amiable and polished in his manners, and of a most agreeable conversation; his humanity and charitable disposition were universally acknowledged; and, although engaged in many duels, he had generally been the insulted party, and was never known to avail himself of his reputation to insult any one less skilled in the science of destruction. He was often known, however, to give a salutary lesson to quarrelsome and troublesome young men; and an instance is recorded of his meeting at Dunkirk in the company of several ladies a young officer of hussars, who, not knowing him, was boasting of his skill as a swordsman, and asserting that no fencer in France was a match for him. "Did you ever meet the famous St. George?" asked one of the ladies. "St. George! many a time; he could not stand a moment before me!" answered the hussar, twirling his mustachios. "That is strange," observed St. George, "and I should much like to have a trial of skill with you, young man. Possibly the ladies could procure us foils, and an *assaut d'armes* might entertain them." The

young officer assented to the proposal with a smile of contempt: foils belonging to the brother of the lady of the house were produced, and without hesitation the hussar was preparing to shame his aged antagonist, who, politely addressing the ladies, asked them to name the buttons he should touch on his adversary's doliman. The delighted women, glad to see a coxcomb corrected, named the number of the buttons; which St. George touched one after the other, and then whipped the foil out of the inexperienced hand of the boaster, who, infuriated by rage and shame, wanted immediate satisfaction; when St. George quietly observed, "Young man, your time is not yet come, you may still live to serve your country; but recollect you have met St. George, for I am that very person who could not at any time prove a match for you." The lesson was a severe one: the young officer, confused and concealing his offended vanity, withdrew, and never after visited at the house.

The efforts of the sovereign to reform the court, and maintain at least an appearance of propriety and good order, were more or less successful in repressing the ostentation of vice that had but lately polluted it: but the dissatisfied *roués* of the day sought in the orgies of the Palais Royal another scene for their dissipation and excesses; where, to use the expression

of a modern writer, "vice became principle, and corruption a system."

As the crusades had shed their influence on European society, operating a surprising change in its manners and ideas; so did the war of independence in the United States produce a material alteration in the French court. Several noblemen had honourably served in the armies of America, and returned home with enthusiastic notions of liberty and independence. Such was the Duc de Lauzun, a nobleman of elegant manners, and as celebrated for his duels as his *bonnes fortunes*.

De Tilly, surnamed "*Le beau De Tilly*," was another celebrated character of that period, and in his Memoirs we find the following observations on the practice of duelling:

"France is the birth-place of duelling. I have roved over a great part of Europe, and travelled in the New World; I have lived with soldiers and courtiers; and nowhere else have I met with this fatal *susceptibility*, which is incessantly creating affronts, injuries, and provocations. Whence arises this disposition, so peculiar to the French, whose character is too noble to become vindictive, and which induces them to fight a duel in matters that are chiefly frivolous? It is education, and that only.

"You have had a discussion with an intimate friend; although it may not have exceeded the limits of an excusable warmth, women have ob-

served in it *injurious shades;* and you would rather expose yourself to kill your friend, or be killed by him, than to the mere suspicion, on the part of woman, of being deficient in courage.

"At a gambling-table a misunderstanding arises; a by-stander has smiled ironically; he has whispered his sister, who has whispered something to her cousin: get yourself killed by all means, for you may have been suspected of cheating at play; and nothing can set such a question in a proper light but the thrust of a sword!

"Your wife is an acknowledged coquette; get yourself run through the body by her lover, and her honour will be restored. You yourself may have seduced the wife of an honest man, who dares to suspect you, and receives you with ill-humour: kill him; for, having deprived him of happiness and peace, you need not be punctilious in ridding him of life!"

This opinion of the character of the French and their notions of honour has been since amply illustrated by Chateaubriand in the following terms: "The first-born of antiquity, the French, Romans in genius, are Greeks in their character. Restless and volatile in prosperity, constant and invincible in adversity. Created for the cultivation of every art; civilised to excess during the calm days of the state, coarse and savage in political troubles. Tossed to and fro by their passions, like a vessel without ballast on the waves, now ascending to

the skies, and then sinking in an abyss. Equally enthusiastic in good and in evil; kind without expecting gratitude, cruel without experiencing remorse, and quickly forgetting both their vices and their virtues. Attached to life in days of peace with pusillanimity, they are prodigal of their blood in the hour of battle. Vain, sarcastic, ambitious, they are at the same time mechanical followers of routine and innovators; despising everything but themselves. Individually the most agreeable of men, collectively the most unpleasant. Delightful in their own country, insupportable abroad. At times, more mild and innocent than the lamb they slaughter; at others, more pitiless and ferocious than the devouring tiger. Such were the Athenians of old, and such are now the French."

Duels now sometimes assumed a humorous character; and men fought for songs, puns, and conundrums. The poet Champeneti got wounded for verses that he had not written; and Cagliostro, being called out by a physician whom he had styled a quack, on the plea that a medical question should be settled medicinally, proposed that the parties should swallow two pills, the one poisonous and the other innocuous.

An anecdote is related of a young man from the country, who was ridiculed for his awkward mode of dancing, and who replied, "If I dance badly, I know how to fight." To which it was

coolly rejoined, "Then, for the future, you had better fight, and never dance!"

Such were the reckless feelings of the time, that a certain Marquis de Tenteniac, from Britanny, actually challenged the pit of a theatre. Being behind the scenes, he had appeared so forward in one of the wings, that the public rebuked him; when he immediately stepped forward to the footlights, and, addressing the audience, said, "Ladies and gentlemen, with your permission a piece will be performed to-morrow, called 'The Insolence of the Pit chastised,' in as many acts as may be desired, by the Marquis de Tenteniac!" This impudent address was received with great applause, and no one individual thought proper to resent a general insult.

While duels were thus discountenanced amongst civilians, it was also endeavoured to check them in the army. The ill-fated Marshal Ney, Duke of Elchingen, judicially assassinated in Paris at the period of the Restoration, was an example of the severe measures resorted to, to punish offenders. Ney, who was born at Sarrelouis in 1769, enlisted, in the year 1787, in the regiment "de Colonel Général," afterwards the Fourth Hussars. He was remarkable for his soldier-like appearance, his dexterity in his exercises, and his skilful horsemanship, in which he frequently broke in horses that the rough-riders could not manage. He was also considered the

best swordsman in the corps; and on him frequently devolved the perilous task of fighting the regimental battles. The fencing-master of the Chasseurs de Vintimille, then in the same garrison with his regiment,—a desperate duellist, who had wounded the fencing-master of Ney's regiment,—having insulted the corps, it was decided that the bravest and the most dexterous dragoon should be selected to chastise him. The choice fell upon Ney. The parties met, sabres were drawn, when Ney felt himself dragged back by the tail: it was his colonel who had thus seized him, and had him immediately thrown into the black-hole.

Duelling was at this period punished with death. Ney's life was perilled, but, beloved both by officers and men, the corps insisted upon his liberation; and the times were such, that their application could not well have been rejected. Ney was liberated, but the first use he made of his freedom was to seek his antagonist and renew the interrupted contest. The parties met secretly, and the bragging fencing-master received a sabre-wound in the sword-arm that crippled him for life. When Ney subsequently rose in rank and fortune, he sought his former antagonist, and settled on him a handsome annuity.

A most vindictive duel was fought at this period by a colonel of the French Guards. This

gentleman was boasting of the good fortune of never having been obliged to fight a duel. Another officer present expressed his surprise, with some indirect allusions to his want of courage; observing, "How could you avoid fighting when insulted?" The colonel replied, "that he never had given offence, and that no one had ever presumed to insult him. Moreover, that on such an occasion he would consider the character of the person who had wantonly insulted him, ere he demanded satisfaction." Upon this statement, his interlocutor, in the most insolent manner, struck him in the face with his glove, adding, "Perhaps, sir, you will not consider this an insult!" The colonel calmly put on his hat, and walked out of the room. The following morning, however, he sent a challenge to his aggressor. When they came to the ground, the colonel wore a patch of court-plaister, of the size of a crown-piece, on the cheek which had received the blow. At the very first lounge he wounded his antagonist in the sword-arm; when, taking off the plaister, he cut off an edge of it with a pair of scissors, and, replacing it on his face, took his leave of his adversary, very politely requesting he would do him the honour of letting him know when he recovered from his wound. So soon as he heard that he was able to hold a sword, he called him out and wounded him a second time; cutting off another portion of the

patch. In a like manner he called him out, fought, and wounded him, until the plaister was reduced to the size of a shilling; when he again challenged him, and ran him through the body: then, calmly contemplating the corpse, he observed, "I now may take off my plaister!" This was a cruel, but a well-merited chastisement inflicted on an insolent braggart, who little knew, at the time he thus wantonly insulted this officer, he was addressing one of the most dexterous swordsmen in the land.

During the early part of the reign of Louis XVI. society continued under the sway of former prejudices and a false notion of honour, which made it consist in upholding a character for courage, gallantry, and successful intrigue. It soon assumed another feature; and patriotism, and self-devotion in the cause of liberty and independence, became the source of many quarrels and bitter recriminations.

The last duel of any notoriety at this period was one fought by the Comte de Tilly, and for which he was apprehended by order of the *connétablie* and court of honour, presided over so late as 1788 by the Duke de Richelieu; which sentenced him to imprisonment in the Abbaye, whence he was liberated after a confinement of three months. This court no longer bore the reputation of a fair bench, capable of deciding the knotty point of honour; but, like all other

institutions, had become inert, and corrupted to such a degree, that De Tilly gives the following account of its nature:

"This court is a real inquisition, to which the nobility of France submitted under the specious and proud pretext of being tried by their peers; an office essentially military, but which had degenerated into a judicial and civil court, where abuses were most notorious. Most of these nobles, debilitated by age and infirmities, sought to grasp, at the end of their career, a distinguished palm, which their feeble hands would soon be compelled to relinquish. Without any previous study of law or justice, their innate honour and chivalric loyalty were not a sufficient beacon to direct their course. Difficult points were elucidated by pedantic lawyers,—the natural enemies of the nobility, and strangers, from education and from principle, to the nature of the duties assigned to them: then came a host of subordinate agents, who effectually closed the gates of this tribunal until opened by a golden key. Favours and accusations were bought and sold, as were the statements that exonerated, or the evidences that condemned: in short, they were a band of mercenaries, who throve upon gall, extorted presents, robbery, and rapine."

Such was the corrupt state of the most noble tribunal in the land, presided over by the de-

praved Richelieu,—a slur upon the nobility, and a disgrace to his king and country.

At the commencement of the Revolution duels were not deemed necessary, and every orator considered that his life belonged to the country. Mirabeau, who in his early days had shown frequent proofs of personal courage, no longer conceived that his honour was at stake when insulted by infuriate orators; and, although he had fought several desperate duels, was accused of cowardice by his enemies. When parliamentary decorum was lost sight of in stormy debates, the offending speaker was committed to prison. A duel between Charles de Lameth and De Castries, although the subject of it had not arisen in a public debate, was looked upon as an uncommon occurrence, and the populace burnt down the house of De Castries; while numerous deputations waited upon his adversary, to express their disapprobation of duelling in the most energetic language. At this period single combats were considered a detestable relic of aristocracy and courtly corruption. This act of violence on the part of the mob was called "a sublime movement of the people;" and Mirabeau, in one of his most eloquent speeches, thus alluded to the event:

"You must establish in the empire an implicit obedience to legitimate authorities, and repress amongst us a handful of insolent con-

spirators. Ah! gentlemen, it is for their own security that I invoke your severity. Are you not aware, that in this destruction, for you cannot call it the dilapidation of a proscribed house, the people bowed religiously before the image of their sovereign, — before the portrait of the chief magistrate of the nation, the executor of the laws, whom they venerated, although under the influence of a *generous fury?** Are you not aware, that this people, in the midst of their excitement, showed their respect for age and for misfortune, by their delicate attention to Madame de Castries? Are you not aware, that the people, in quitting these premises, which they had destroyed, it may be said with order and calmness, insisted that the pockets of every individual should be searched, that no base action might tarnish a just revenge? Such is true honour, which the prejudices of gladiators, and their atrocious rites, can never display."

It was after this event, that the ill-fated Bailly presented, as mayor of Paris, the following resolution of the municipal body:

"The municipal body, alarmed at the frequency of duels, and the disturbances which they create in the capital, have resolved, that a deputation of twelve of their members shall be sent to the National Assembly, to request

* It appears, that in the destruction of everything the mob found in the house, they respected a portrait of the King.

that a law may be framed, as speedily as possible, against the practice of duelling, which would recall the citizens to a sense of their moral obligations, and warn them against the suggestions of sentiments incompatible with the character of a free and benevolent people."

Another deputation solicited a decree which would render duelling a crime of lèse-nationality, and supplicated the assembly to wield the sword of justice in punishing the perverse individual who had shed the blood of one of the representatives of the people, and whose crime the capital had justly avenged. This address was received with tumultuous applause, both by the audience and the members of the assembly, when the member for Angoulême, a M. Roy, exclaimed, "That none but ruffians could applaud such a proposal;" for which imprudence he was sentenced to three days' imprisonment. On this occasion Barnave made a most eloquent speech against duelling, although three months after, he fought and wounded Cazalés, another deputy.

Not only were duels avoided in these fearful times, but any person who insulted one of the representatives of the people, or who acted with violence towards him, was denounced as a conspirator and an assassin. This was instanced in the case of Grangeneuve, who had quarrelled with

Jonneau, whom he called a F—— *Viédasse,** to which the other replied, "You have insulted me! are you a man of honour?" "I am," replied Grangeneuve. "Then meet me to-morrow at the Bois de Boulogne, with pistols." "I will meet you to-morrow in the National Assembly," replied his antagonist. "The world, then, will pronounce you a coward."—"And you a *Jean F——;*" on which Jonneau slapped his face; Grangeneuve retorted with a stone, which he picked up, and a caning, with kicks and cuffs, ensued.

Notwithstanding the unwarrantable conduct of Grangeneuve, Guadet, a deputy from the Gironde, insisted upon an impeachment against Jonneau as an assassin; and another orator, Larivière, who seconded the motion, expressed himself in a bombastic style, illustrating the dementation of the epoch: "Jonneau," he said, "had been guilty of a cowardly action, by provoking a man physically weak for a trifling insult, and was still more cowardly in striking him: he ought to have imitated Turenne, who being provoked to fight a duel, replied, 'To-morrow there will be a battle, all our blood belongs to our country, and we shall see which of us shall the best defend her." He therefore moved that Jonneau should be committed, although,

* A Gascon term, meaning perverse and treacherous.

after he had been separated from his antagonist, he had been unmercifully beaten by a ruffian of the name of Saint Huruge, and Barbaroux, another deputy from the Gironde.

All the eloquence of these desperate madmen, however, could not prevent occasional meetings, and the National Assembly at last abrogated all former laws prohibiting single combat, and passed an amnesty in favour of those transgressors who had been prosecuted agreeably to their enactments.

Camille Desmoulins was another orator of this fearful epoch, who launched forth against duelling in the following memorable language:

"One may brave death in the cause of liberty for one's country, and I feel that I could stretch my neck out of my litter, and hold forth my throat to the sword of Antony; I feel that I could possess sufficient fortitude to ascend the scaffold with a mingled sentiment of pleasure. Such is the courage which I have received, not from nature, which shudders at the aspect of death, but from philosophy; to be assassinated by the bravo who provokes me, is to be stung by a tarantula, and I should have to spend my days in the Bois de Boulogne, were I to give satisfaction to all those whom my frankness offends. I may be accused of cowardice, but I apprehend that the times are not far distant when we shall have ample oppor-

Camille Desmoulins

Camille Des

tunities of dying in a more glorious and useful manner."

The occasion of this speech was a dispute which he had with Haudet and Désessarts of the French theatre, and the miserable man had only anticipated his impending fate, doomed soon after to fall under the rival power of Robespierre.

Such were the morbid views of honour entertained during the atrocious phases of the French Revolution: the most noble and generous sentiments were professed by the most implacable monsters of the epoch; and while the murder of innocent men on the scaffold was called by Danton *the justice of the people*, a duel was denominated "*the argument of an assassin*,"—when Marat was called the *Divine*, and Robespierre the *Incorruptible!*—The Revolution might fairly be denominated a moral pestilence caused by former corruption; the national atmosphere had been tainted by the putrescency of the Court, and the fever that it produced was marked by a homicidic delirium which from its diffusion in every class of society might have been considered contagious.

The history of those momentous times presents us a series of causes and effects so closely linked in their fatal catenation, that the bloody annals of that era should constitute the chief study of every diplomatist. It is to be deeply lamented that these records do not become the

text-book of diplomatic tuition. When the nobility dropped their swords and the people picked them up, the meanest comprehension could have foreseen the sanguinary results. The apathy in which the possessors of power and wealth slumbered could only be compared to the perfidious calm of gangrene that precedes dissolution. A blind confidence in the prestige of authority hurled the nobility into a vortex which swept them down the torrent of popular reaction. The hatred in which duels were held, simply arose from their not being the practice of fashionable men, and was a strong illustration of the morbid temper of the nation, and the successful efforts of the philosophic school. The history of the progress of liberal ideas gradually casting off the restraints of rank and fortune might be studied in the dedication of writers. Where could we find an author in the present day, who, like Dryden, would compare the pustules of small-pox on the corpse of a deceased young nobleman, the son of his protector, to bright constellations in the firmament? As men grow wise, the prejudices of barbarism will gradually disappear; and certainly, with very few exceptions, we cannot trace much sapience in those persons who have been engaged in personal conflicts of late years.

CHAPTER XIII.

DUELS DURING THE NINETEENTH CENTURY.

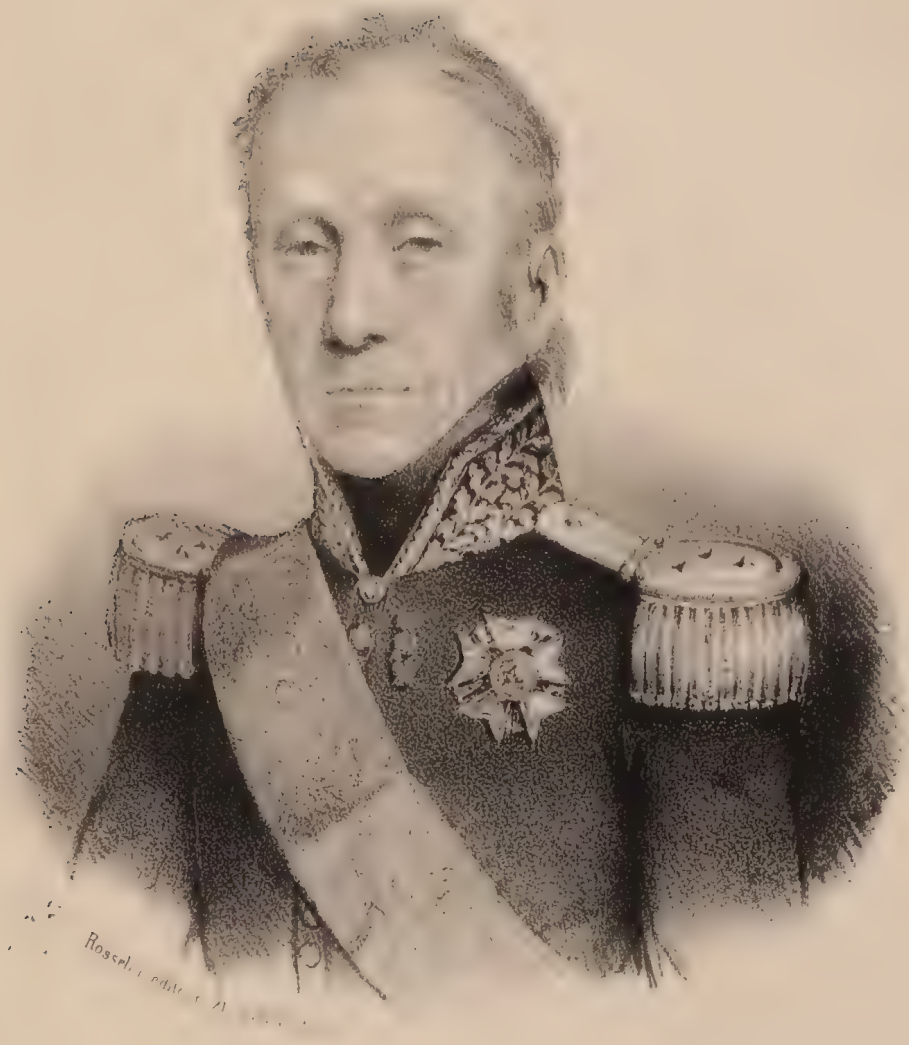
It has been truly said that during the French Revolution, the foot of Liberty slipped on blood, and she fell prostrate under a military despotism. Under the Directory an attempt was made to restore society to its ancient prejudices, modified by the times, and duelling became fashionable amongst the upper classes of society, more especially in upstart circles, while in the army it was constantly resorted to both by officers and soldiers. Scarcely a day passed without a meeting in the Bois de Boulogne, while garrison towns were continually disturbed by desperate duellists; pistols were now adopted by civilians, and the sabre, rarely the small sword, became the arm of the military.

That duels should prove of frequent occurrence amongst soldiers and officers of lower rank might be expected, since general officers showed the example. In 1802, Generals Destaing and Reynier having quarrelled in a discussion relating to the Egyptian campaign, Destaing was

killed by a pistol-shot in the breast. Napoleon, who was then First Consul, expressed his displeasure, and for some time the survivor was obliged to absent himself from Paris.

A diplomatic duel took place at Naples under the reign of Murat. At a levee of the king and queen, Count Dolgoroucki, the Russian ambassador, took precedence of the French envoy, Baron Durand de Mareuil, who as family ambassador had a claim to a prior introduction. The baron took no notice of this circumstance at the time, but on quitting the palace sent a message to the Russian nobleman, who replied that he would submit the affair to his court.

The French General, Excelmans, who was present at the time, immediately called upon the Count de Beckendorf, the first secretary of the Russian embassy, to demand satisfaction for the insult offered to France in the person of her representative. The challenge was accepted, and at the same time it was agreed that the two ambassadors should be present at the meeting. However, the Russian ambassador would not allow his secretary to take up the quarrel, and he accepted the message sent by the envoy of France. The ambassadors becoming principals, the seconds resolved that, according to the ancient Italian custom, they should follow their example, and the four combatants met. Both



Exelmans.

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J. Exelmans

ambassadors were slightly wounded, but Beckendorf was run through the body by Excelmans, and recovered with great difficulty. The war with Russia broke out shortly after, and it is generally supposed that this insult offered to France by the Russian minister was one of the pretexts that accelerated the event.

Napoleon invariably objected to the practice of duelling; and, although he knew from the character of his officers and soldiers, that it was impossible to prevent it, yet he visited with his displeasure all the superior officers who transgressed the regulations on that subject. He was frequently heard to say, that he never could place any dependence upon a duellist in battle, and that Latour Maubourg, the bravest of the brave, had never drawn his sword in a private quarrel. Such was also the opinion of Follard, the commentator of Polybius, who observed, "that in his time, duellists were in great vogue, but he generally found them the very scum and dishonour of the army, and the first to flee in moments of danger."

Gustavus IV, as has been already related, with more chivalric feeling than wisdom, sent a message to Napoleon, who replied, "that he would order a fencing-master to attend him as a plenipotentiary."

During the reign of Napoleon, it appears that duels were not frequent; society was no longer

convulsed by party feelings and violent political recriminations; discord had ceased to reign, and all France submitted quietly to the iron yoke of military despotism. Former disputes had arisen in the intrigues of courts, in which depraved and ambitious females reigned paramount; and in the incessant altercations of these privileged and honoured courtesans, the fashionable men of the age were constantly involved; political debates were also a common cause of hostile feeling, and a subsequent meeting: but under the empire, no one could express his opinion, and political discussion became merely a matter of form; the press, being also under the immediate control of government, could not give offence, and when it did offend, as it was the organ of the state, the injured party could obtain no public or private redress.

The restoration of the Bourbons operated powerfully upon society; all former animosities that had been kindled in silence, and smothered by prudence, broke forth with an uncontrolled fury. The monarch was reluctantly obliged to allow the freedom of the press, and the public journals became the daily vehicle of slander and insult. The French were unaccustomed to this licentiousness, which, from ancient usage, is overlooked in general by British legislation, — lawyers and newspaper writers could not brook these open insults, and literary duels marked

this period by their frequent occurrence. The return of the emigrants was also the source of many duels; these unfortunate gentlemen, "who had nothing learnt, and nothing forgotten" during their exile, assumed a haughty bearing towards the officers of the republic and the empire who were without birth or any name but that which their valour had rendered noble, which could not be brooked by these soldiers of fortune. Few duels between the *ancienne noblesse* and the *parvenus*, it is true, took place at court; but they were not unfrequent in the army, until the sons of the olden times began to respect the children of the revolution for their glorious deeds of arms, the narration of which formed a great part of their conversation. Yet much blood had been shed ere this reconciliation had taken place: the noble youth of France who now surrounded the restored throne, devoted their time to obtain some skill in swordmanship, and in many of their quarrels with the old officers, who had been for years out of practice, they displayed a superiority which the former severely felt.

Ancient animosities and disappointed ambition now reigned paramount; one party seeking to recover by violence and power what they had lost by flight; and the other, to preserve what they had acquired at the price of their blood and that of their families. All the wisdom and prudence of Louis XVIII. could not restrain this

impetuous torrent, to which no bounds could be assigned, since the want of solidity of the throne was felt in the vacillating state of every part of the social edifice.

Parliamentary debates and studied imitations of British extemporaneous eloquence, and paper-wars, led to constant disputes. St. Marcellin, a distinguished literary character, was killed by Fayau, his bosom friend. St. Morys, Lieutenant-colonel of the Gardes du corps, was killed by Colonel Barbier Dufay, and Beaupoil de St. Aulaire paid with his life a paragraph in his printed oration on the Duke de Feltre. In consequence of this offensive publication, St. Aulaire was first called out by the son of the deceased duke; he then had to fight a cousin of the General M. de Pierrebourg: the parties met, when St. Aulaire proposed the sabre, and Pierrebourg wished for the sword, but conceded the point to his adversary; both were perfectly cool, so much so indeed, that at the suggestion of St. Aulaire, they changed their ground, as the sun was shining on his antagonist. St. Aulaire wounded Pierrebourg in the knee, but being uncovered, the other gave point, and wounded him betwen the ribs, when throwing away his sabre, he exclaimed, "I fear that the wound is too deep;" to which the seconds replied, "It is unfortunate, but it was all fair play." St. Aulaire expired a few minutes after.

Literary duels became frequent, especially on account of political and historical works. Philippe de Ségur, author of the Campaign of Russia, had to meet General Gourgaud, one of Napoleon's aide-de-camps, when the author was wounded. A Neapolitan colonel of the name of Pépé challenged the author of a work, in which he had reproached Italy with its pusillanimity, and obtained the satisfaction of wounding him, to prove the incorrectness of his statement.

Two enthusiastic novel writers fought in defence of classical and romantic literature, firing at each other four times, and only separated when the severity of their wounds prevented further hostilities. A desperate duel was fought between M. Raynouard, commanding the Caravanne, and M. Garnerey, the artist, who had been sent to paint the battle of Navarino. It appears that frequent altercations had arisen between the parties when on board, and Garnerey, labouring under fever, was landed by the captain at the Lazaret of Toulon. The incensed artist wrote a letter, in which he complained that he had been cruelly deprived of medical aid; in consequence of which, Raynouard called him out as soon as they were released from quarantine, when Garnerey shot him in the hip. He only survived the wound nine days.

Notwithstanding the frequency of duels, the

survivors were, in several instances, prosecuted. An artillery officer of the name of Treins, having called out a person of the name of Damarzil, it was decided that they should fight with pistols, at the distance of six paces. Having drawn lots for the first fire, it fell upon Treins; the witnesses then requested that a greater distance should be taken. Treins would not consent to this arrangement, which was contrary to the previous agreement; he fired, and mortally wounded his adversary in the stomach. Notwithstanding the severity of the wound, he had sufficient strength to return the fire, wounding his antagonist in the arm. He died a few hours after. The court came to the decision, "that Treins having been the aggressor, and having fired contrary to the wishes of the by-standers, at so short a distance, when he was certain of killing his antagonist,—these circumstances did not allow that this case should be included in those cases of duels which are not considered as criminal and punishable as such." On this occasion the duel was considered an assassination, because the party fired at too short a distance. Yet it must be recollected, that had the survivor's pistol missed fire, his antagonist had an equal certainty of shooting him.

The tribunal of Douai came to a similar conclusion in the case of a person who shot another after taking a long and deliberate aim. The

court of Marseilles gave a similar judgment in the following case:—A man, named Roqueplane had called out another of the name of Durré. The seconds wanted to place the parties at a distance of twenty-five paces; Durré insisted upon fifteen. Lots were drawn for the first fire, which fell upon Roqueplane, who discharged his pistol in the air. Durré insisted that he should fire at him; and, despite the interference of the seconds, his wish was acceded to: but the pistol missed fire; on which Durré fired, and shot his adversary dead.

A singular case, somewhat of a similar nature, occurred not long since at Bordeaux. A Spanish-American gentleman had left his wife in that city, and during his absence her conduct, it appeared, had been anything but correct. On his return, the tongue of scandal and of friendship soon informed him of what was called his dishonour; and he fixed upon a young man of the name of A——, as the person who was to give him satisfaction, on the plea that he had intrigued with his wife. M. A—— refused to meet him repeatedly, insisting upon his innocence; and adding, that even if proofs of any criminality could be adduced, the conduct of the lady had been so improper with various persons, that he would not expose his life in such a business. The husband persisted, and at last meeting him at 'Change, struck him repeatedly.

A meeting was now unavoidable. Forty paces were measured, and eighteen paces told off between the two extreme points, leaving a space of only four paces in the centre of the ground. It was decided that both parties should advance towards this point, and fire whenever they thought proper. The adversaries moved on; but the Spaniard, in his vindictive impatience, fired at twelve paces, and missed his antagonist, who continued advancing towards the central point of four paces, while the disappointed Spaniard halted where he had fired. According to the pre-arranged agreement, he was ordered to proceed to the centre, where stood his antagonist; when only four paces divided them. M. A—— then stated, that he would not fire, if his adversary was satisfied; to which the other replied, that he would fire, as he was determined that one of them should fall. A—— fired; but the pistol missing, it was found that his second had not put any cap to it: it was therefore decided, that he was entitled to a shot. Again he expressed his earnest desire not to fire. The Spaniard persisted, and was shot dead. Although at the short distance of four paces, so uncertain is the fire of a pistol, that had the ball, which had struck the shoulder and entered the chest, deviated but a line or two, and been reflected from the bone, the wound would have been slight, and A—— un-

doubtedly would have fallen. M. A——, with the seconds of both parties, was imprisoned for a considerable time; and when brought to trial, acquitted. In this case, most undoubtedly, the fault rested with the seconds, who should not have left to their principals the power of reserving their fire until they came in such a close situation; an arrangement of which every cool person would avail himself. The chances were also rendered unequal by the precipitation of one of the parties. He could have held back his fire until he came to the four-pace interval, if he thought proper; and his adversary was fully warranted in availing himself of the circumstance, while he honourably offered him his life.

In this case, my opinion was asked, as an English officer. M. A—— was a particular friend of mine; and I gave it as my decided opinion, that he had behaved most honourably. He had been fired at, and continued to move forward according to agreement. The Spaniard should have done the same; it was therefore but just, that he should not be allowed to receive A——'s fire where he had halted; since, if A—— had missed him, the Spaniard's next fire would have taken place at the central point, on which he most undoubtedly would have advanced, to claim the advantage which he himself had given to his antagonist. In regard to the missing of A——'s fire, had the pistol been

capped, most unquestionably he would have had no claim to a second fire; but the unpardonable neglect had not been his, it was the fault of his second; for which, most assuredly, he should not have perilled his life. It is true, that a miss-fire is considered as equivalent to a shot, in primed pistols, but this rule cannot hold good in percussion arms. A priming may be damp, may be shaken out; but the pistol had been properly loaded. A percussion pistol, without a cap, is to all purposes the same as an unloaded weapon; and if such a neglect on the part of a second, was to expose the life of a principal, it might lead to the most treacherous acts and premeditated murders. This case strongly proves the necessity of pistols being loaded in the presence of both seconds; and perhaps so long as this barbarous practice prevails, it might be more prudent not to use percussion arms. I shall return to this most important subject in another part of this work.

In regiments, the strictest discipline could not prevent duelling. It became the boast of particular corps; and before the French Revolution, no officer was admitted into the society of his comrades, until he had given proofs of his courage, and fought without any motive. For this purpose, expert fencers were selected, who were called "feelers;"* and it must be admitted, that

* Tâteurs.

in general they merely sought to inflict a trifling wound. Another custom prevailed in several regiments, which was called the *calotte*, and consisted in insulting persons who passed by the coffee-houses which these madcaps frequented. On such occasions they exacted a pecuniary tribute from the offended party, if he declined fighting. It was on an occasion of this kind, that an officer of artillery, named De Paris, was attacked at Verdun. In the first instance he paid the exacted tribute, and then addressing himself to the officer, who was considered the chief of the *calotte*, he insisted upon an immediate satisfaction, which was of course granted. The parties met; the chief of this murderous association was killed; and two of his brother officers who succeeded him shared the same fate.

Colonels of regiments not unfrequently showed a pernicious example in sanctioning duels. The Viscount de Noailles, colonel of the King's dragoons, had said at table, that although he would break, without any hesitation, any officer who would call him out while with the regiment, yet, that when at Paris, and in plain clothes, he would always be ready to attend any officer to the Bois de Boulogne. A Captain de Bray, of his regiment, who considered that he had been insulted by him, availed himself of this declaration, and severely wounded him. His commanding officer most honourably recommended him

to the first vacant majority in the corps. This same De Noailles was in the habit of announcing the day of his departure from every place he had been quartered in, in the public papers, for the purpose, he said, of affording an opportunity for settling affairs of every description.

The restoration of the Bourbons had gradually calmed the excitement between hostile parties, or rather they were tired of useless conflicts, until the Revolution of the Barricades once more gave a free vent to the rage of political animosities, and all classes seemed to consider bloodshed as the only means of asserting their rights. An absurd chivalrous character had been given to the heroes of July, and every violent demagogue fancied that he was called upon to display a similar contempt of life.

A paragraph having appeared in the paper called *La Tribune,* containing some reflection on the Duchesse de Berry, the editors of *Le Revenant,* a legitimist publication, demanded satisfaction from those of *La Tribune.* The parties decided that no individual duel should take place, but that a collective meeting should be fixed upon between any two of the editors whose names appeared in the lists, as other newspapers had taken part in the quarrel. At last it was decided that a meeting should take place between Armand Carrel, editor of *Le National,* and Roux Laborie, editor of *Le Revenant.* The duel took

place; when Laborie, who was by no means so dexterous as his adversary, was run through the arm. The parties were then separated, when Carrel stated that he believed he was wounded; and upon examination it was found that he had received a dangerous injury in the belly. The seconds were about crossing swords in their turn, when the interference of the police put an end to the contest.

Challenges were now mutually exchanged between the writers in favour of legitimacy and their republican brethren, until the populace espoused the cause of the latter: publishers and the offices of the Royalist papers were besieged for several days by the mob. Had Carrel died, it is difficult to say to what excesses this exasperation might have led.

Brian, editor of *La Quotidienne*, had to fight a duel with one of his colleagues; and hostile meetings between newspaper writers took place, not only in Paris, but the principal cities in France. The following extract from a paper of the time (February 1834) will show to what an extent duelling was carried at this period.

"A deplorable mania for duelling has prevailed during the last week. On the same day on which M. Dulong was wounded by a pistol-shot by General Bugeaud, two medical students were fighting at a few paces from them, and one of them was mortally wounded by a shot in the

breast. This morning, three more duels took place, one of them fatal, and all grounded on political differences; and this day, the manager of one of our theatres has fought the editor of a newspaper."

While political disputes thus led numerous champions into the field, their party warmly advocated the cause which they maintained at the peril of their lives. Thus, a duel having taken place between a native of Toulouse and Marseilles, on electioneering questions, the Toulousian being seriously wounded, was carried to the hospital, where he was immediately followed by his partisans, wearing white pinks at their button-holes, and who suspended a crown of laurels and lilies over the patient's head at Marseilles. Barthelemy, the editor of the *Peuple Souverain*, killed David, who conducted the *Garde National*; and soon after the editor of the *Gazette de Perigord*, fought his predecessor of different political opinions.

It would be endless to relate the numerous duels that took place at this period between literary men, not only on account of political diver gence of opinion, but on literary claims. Thus, Alexander Dumas fought Gaillardet, on account of the drama called the *Tour de Neste*. It appeared that the latter was the original author of this drama, admirably constructed, but unfortunately of a disgusting character, every vice that

can disfigure humanity having been brought into action. The manager of the theatre (La Porte St. Martin) conceived that the dialogue required correction, or that the incidents of the piece might be more powerfully developed; and he, therefore, with the consent of the author, placed the MS. in the hands of Dumas. The latter claimed no authorship, until the piece was brought out with great success, and became the *rage* of the Parisians; when, to the amazement of Gaillardet, Dumas published the play as his sole production. The business was first brought before the tribunals; but the honour of the parties not being satisfied, a meeting took place, when pistol-shots were exchanged at fifteen paces. The infuriated dramatists were resolved to fire until one of them fell; but the seconds very wisely prevented further proceedings. This exasperation, arising from galled vanity, is easily accounted for, when we find that two other dramatic writers, whose productions had been received with doubtful success, and severely criticised in the papers, shut themselves up with a pan of charcoal, and were suffocated in poetical despair.

Duels, having thus descended from the aristocracy of the country to inferior grades, became at last common even amongst tradespeople. In 1833, we find a silk-mercer fighting a wool-merchant with pistols, and desperately wounding his antagonist; while a bath-keeper

called out and fought a crockery-ware seller, for having sold him a cracked stove. At Douai, a woollen-draper challenged a brazier to fight him with swords; the parties met, and rushing at each other like two butting bulls, the brazier was run through the throat, and the unfortunate woollen-draper received a mortal wound in the bowels.

Nor was difference of rank any protection against the necessity of giving satisfaction. At Bordeaux, an officer of cavalry, wishing to dispose of a new uniform coat that did not fit him, called in a Jew old-clothesman, who offered him five francs for the coat. The officer, justly incensed at this impertinence, ordered him out of his room. Moses refused: the dragoon kicked him down stairs. The exasperated Jew immediately challenged the officer, who refused to fight him; when the Jew, meeting him in the street, called him a coward, and struck him. The officer would have cut down the Israelite on the spot, had he not been prevented, and was about bringing the man before the police, when it was decided by the corps, that the officer, having placed himself upon a level with the Jew by striking him, he was called upon to give him the satisfaction he had demanded. The meeting took place, and the Israelite went to the ground with a host of his nation. Swords being crossed, the Hebrew, notwithstanding the loud acclamations of

his tribe, could not be brought to stand, but retreated and fell back, until his adversary brought him against a ditch, which at last halted him. Here he would not show fight; and the officer would have run him through the body, had not the crowd of Jews rushed to his relief; and it was with great difficulty that the dragoon and his second could effect their escape to a carriage in attendance.

It was during these turbulent times, and after the Revolution of July, that my friend, Colonel Trobriant, shot Pélicier, of the Home Department, the dispute having arisen about a popular song. Trobriant wanted to fire in the air; but his adversary replied, "No cowardly condescension, if you please, sir. Aim at me, sir, for I shall aim at you." Trobriant fired, and the ball entered the forehead of his obstinate adversary.

Prefects, magistrates, editors, shopkeepers, had now descended into the camp; and no situation of life, age, or condition, seemed to be matters of consideration. Comte Leon, a supposed natural son of Napoleon, fought several duels; one with the colonel of the National Guard of St. Denis, and the other with an English officer of the 18th Hussars, of the name of Hesse, who had lost to him eighteen thousand francs at play. In this last meeting, it was decided in writing, that the parties should be placed at thirty paces from each other, and advance to ten paces. They

both moved forward three paces, took aim, but did not fire. Hesse made another step, and Leon did the same, when both firing, Hesse received a wound in the left breast, and expired after three days' acute suffering. The widow prosecuted the survivor; but after a short trial he was acquitted, Mrs. Hesse not appearing on behalf of the prosecution.

In the singular duel between two persons of the names of Lethuillier and Wattebaut, the survivor was condemned to ten years' imprisonment. The circumstances were the following:— Lethuillier and his wife kept a *maison de santé* at Pantin, and Wattebaut, who called himself a man of letters, lodged with them. They were both staunch republicans, and their uniformity in political opinions cemented a strict intimacy between them. However, political affections did not prevent Wattebaut from paying more than common attention to the fair wife of his host. A dispute arose, when it was decided that they should fight with pistols, and at the same time it was also agreed that no seconds should be present at the meeting, to avoid the possibility of any reconciliation, while at the same time the honour of Madame Lethuillier would not be compromised by the circumstance being confided to others. The parties met in the wood of Romainville; Wattebaut in vain sought to reconcile matters by

affirming his innocence in the most solemn manner; the husband was inflexible. Wattebaut fired, and his ball entering the right temple, grazed along the eye, passed through the root of the nose, and came out by the left eye, Lethuillier being struck blind. Wattebaut seeing him fall, fancied that he was dead, and fled; but the wounded man contrived to crawl as far as the cemetery of Pantin, where his groans attracted the notice of some persons passing by, who carried him home. Lethuillier pursued his adversary before the tribunals, maintaining that he had been treacherously wounded before he had taken his ground, and after he had proposed to his adversary to fight across a pocket handkerchief. Wattebaut, on the contrary, asserted that he had fired according to the stipulated pre-arrangement, contradicting the charges brought against him in every particular. Although no evidence appeared on behalf of the plaintiff or the defendant, the latter was condemned to ten years' imprisonment.

Such was the fury of duelling during these times of excitement, that two brothers actually engaged in a conflict of this nature: one of them fired on his adversary, a dragoon in the 11th regiment, and having missed him, knocked him down with a bludgeon, and only left him when he considered him a corpse.

A duel was fought between Cadet Gassi-

court the chemist, and one of the Mayors of Paris, and his assistant, Viguier, about some repairs that were required in their parish church; and in 1834 the president of the *Cour Royale* fought a barrister, when the judge was wounded by the pleader. About the same period the celebrated meeting between General Bugeaud and a lawyer of the name of Dulong took place. Both of them were members of the Chamber of Deputies, and the quarrel arose in a debate in the house regarding the treatment of the Duchess of Berry. As this was what was called a parliamentary duel, the particulars of this transaction are curious. The discussion arose on the subject of the imprisonment of the duchess under the general's custody, when a deputy of the name of Larabit maintained that an officer was not obliged to fulfil an ignoble mission. Soult replied, "A soldier's first duty is obedience;" on which Larabit observed, "The President of the Council says that a military man should obey: this I readily grant; but when a man is conscious of his rectitude, and is ordered to recede from his duty, he should cease to obey his superiors." "Never, never!" exclaimed several members; on which Dulong added, with much warmth, "What! is a man in obedience to the command of his superiors to become a gaoler and degrade himself?"

This hasty expression was not distinctly heard

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Bugeaud

by all the members present, nor did it reach the ears of General Bugeaud until some friend repeated the offensive language. The general immediately went over and sat near Dulong, who gave a satisfactory explanation, disclaiming any personal allusion. Here the matter would have rested, had not one of the newspapers taken up the subject, when the general demanded a written apology from Dulong, a request to which he immediately acceded by transmitting to the editor of the paper a statement in which he declared that he had meant nothing personal or offensive in his speech. This letter was sent to the general, who forwarded it by M. de Rumigny, one of the King's aides-de-camp, to the editor of the *Journal des Débats*. Soon afterwards an evening paper published the following paragraph :

"The *Journal des Débats* having reported yesterday that M. Dulong had made use of language most insulting to General Bugeaud, it was this day affirmed in the Chamber that the honourable general had insisted on an apology on the part of M. Dulong, which will appear to-morrow in the *Journal des Débats*."

On reading this report, M. Dulong immediately addressed the editor of the *Débats* to request he would not publish his declaration, and the general himself called at the office for the letter, and afterwards waited upon M. Dulong.

Seconds were appointed, and as matters could not be settled to the satisfaction of all parties, a duel with pistols was arranged to take place the following morning.

General Bugeaud, who was considered one of the most dexterous shots in the army, suggested to M. Dulong the advantage that might result to him from the use of swords; but Dulong, who as a lawyer knew nothing of the use of arms, thought that the pistol would offer him a greater security.

The parties met at the Bois de Boulogne at the appointed hour, when it was decided that they should be placed at forty paces from each other, and on a given signal advance and fire whenever they thought proper. General Bugeaud in the most honourable manner, and to give his adversary every possible chance that the greater distance could afford, fired at the second step, but unfortunately with too much precision, as the unfortunate Dulong dropped wounded by a ball that had entered the skull over the left eye, and he expired on the following morning. This fatal event was clearly the work of political writers, who fomented the hostile feelings of both parties, and whose conduct only admitted of this extenuation, that they were always ready to fight amongst themselves, or with any other political antagonist who wanted to decide a question by recourse to arms.

This duel caused a considerable sensation in Paris; the King was much censured for not having prevented it, as the chances were most unequal between a skilful combatant and a literary man, who had never handled sword or pistol. Moreover, the written apology of Dulong, instead of being returned to him when the hostile meeting was decided upon, remained in the hands of the general's second; a most unfair proceeding, since the ill-fated Dulong, who fought sooner than give publicity to a statement which was reported to have been obtained by threats, had the unquestionable right to demand the restoration of the document; and this letter, which it was affirmed had been burnt in the Palace of the Tuileries, appeared a few days after Dulong's death in several provincial papers.

In a former chapter, we have seen with what ferocity many duels were fought in more barbarous times, yet at the period of which we are now speaking, similar acts of desperation were not uncommon. Two officers mortally wounded, insisted on being laid upon mattresses, that they might continue to fire at each other, until one of the party expired. Two other officers of high rank exchanged five shots, and the sixth only took effect, proving fatal to one of them.

Duels were also fought in public. A fatal duel of this nature took place between a M. de C——, an officer of light cavalry, and M. V——, of Car-

cassone. It appeared, that while the regiment of M. C—— was quartered in the latter town, he had courted a sister of M. V——, and, under the promise of marriage, deceived her. The route arrived, and the regiment marched to Hesdin, where V—— followed the seducer, and insisted upon his marriage with his sister; to which proposal C—— acceded, stating, that he only waited for the consent of his family. A suspicious delay having taken place, M. de V—— followed him to Paris, and demanded a categorical explanation of his intentions; satisfaction was insisted upon, and C—— again renewed his promises, fixing a period. This period having expired, M. de V——, accompanied by his sister and mother, repaired to Hesdin, where the regiment was in garrison. C—— continuing to hesitate, a meeting was fixed upon, near the glacis of the town; the commanding officer and the mayor being both apprised of a transaction which was considered unavoidable. The gates of the town were closed after upwards of eighteen hundred persons had assembled to witness the conflict.

On the ground, M. de V—— once more called upon De C—— to fulfil his promise, and rescue his unfortunate sister from ignominy, adding, that from his expertness in the use of the pistol, his life was at his disposal; and he even proposed swords, to afford him a more equal

chance in the conflict. This remonstrance and generous conduct were of no avail. M. de C——, it appears, had practised pistol firing for a considerable length of time, and was equally certain of a successful aim. Lots were drawn for the first fire, which fell upon C——, whose ball grazed the head of his adversary, who firing in turn, shot his dishonourable adversary through the head.

All distinction of rank appeared to be levelled; and a general officer who was disappointed in his expectation of promotion, actually sent a message to Marshal Soult, then minister of war, demanding either the advancement he had memorialized for, or personal satisfaction. The age and position of the marshal were sufficient motives to decline this singular meeting; when the general thought proper to call out the marshal's son, the Marquis de Dalmatie, to fight for his father, a challenge which, of course, was also refused; when the pugnacious memorialist published an insulting letter addressed to the marquis, in the usual language of what is called "posting;" but this outrageous conduct was very properly treated with the contempt it deserved.

Such was the state of society in France after the restoration, and the second revolution. There existed no authoritative power able to control the discordant elements that agitated society.

Disappointed ambition on one side, and insulting prosperity on the other, came into daily collision. There was no common enemy to fight beyond the frontier, and intestine personal warfare had succeeded foreign military operations. There existed a constant state of agitation and uncertainty which all parties were anxious to subdue; and the editors of the public papers were war-hounds, let loose to stir up universal commotion. Batons of marshals and dukedoms were no longer to be obtained by the sword wielded against national enemies, and civil preeminence was sought by drawing it on any competitor who stood in the way of advancement. The country was in a febrile state, and loss of blood seemed as necessary to the body politic, as it might have been considered advisable in the case of a morbid individual. There existed no safety-valve from the high pressure of the times; and, fortunately for the country, the occasional explosions that took place were of little importance, and only served to improve the machinery, so ably conducted by its present engineer, the King of the French. Any endeavour on his part, or that of the Bourbons, after their restoration, to prevent parties from coming into hostile collision, would have been worse than idle. It was a storm, to which a calm might naturally be expected to succeed; and, at the

present period, duels in France are scarcely ever heard of; in fact, they are not in fashion.

The French are naturally disposed to fight; and we have had sad proofs of this sanguinary propensity during the late war, when their prisoners on board the hulks, and in the several dépôts, converted every tool or instrument into a sword; and nails, knives, razors, sharpened iron hoops, were fixed at the end of sticks for the purpose of fighting; fighting and gambling being their only amusements.

Many were the melancholy scenes that took place in 1814, when the allies were in Paris; duels between the officers of the foreign powers and those of the disbanded French army were incessant, and they generally proved fatal to the strangers. The French were spending their whole days and nights in fencing; and there is every reason to believe, that, not satisfied with their own skill in fence, their *prevosts*, or fencing-masters, assumed the uniform of officers to meet any imprudent youth who was foolhardy enough to accept their challenges. Thus did many an Austrian and Prussian officer fall in the Bois de Boulogne.

When the British army occupied the south of France, similar scenes were witnessed, but more especially at Bordeaux, where the French officers came over the Garonne, for the sole

purpose of insulting and fighting the English, who were, in many instances, absurd enough to meet their wishes. It is, however, gratifying to state, that the fortune of arms was generally in our favour; and, in many instances, when our young officers had been so imprudent as to accept a challenge with the sword, their superior bodily strength and utter ignorance of the polite rules of duelling turned to their advantage; in several instances, they rushed on their adversaries, broke through their guard, and cut them down. In vain the French expostulated against this breach of *les régles de l'escrime*, and called out "foul play;" our seconds usually carried pistols in their pockets, and threatened to shoot any one who interfered; and the French at last were tired of the experiment.*

After the campaign of Waterloo, the French were equally anxious to recover by private deeds of courage their lost fame in battle; but past experience had taught the British the folly of

* In one instance, the French officers went to the little *Theâtre de la Gaieté*, then on the Allées Tourny, when a furious fray took place between them and several British officers: although the latter had no swords, the French drew theirs; but the British breaking up chairs and tables, in a few minutes shivered their weapons, and knocked them down in every direction. It is somewhat strange, but I was, in a great measure, the means of terminating these differences. Coming out of the theatre, I was assailed by a group of French officers; I calmly replied, that if I had given offence to any of them, I was ready

attending to their insults. An unfortunate occurrence, however, took place at Cambrai. Lieutenant G—— of the Guards was proceeding to the mess-room, when a French officer in plain clothes followed him, making use of the most insulting expressions; G—— turned round and asked him if his language was addressed to him, when the ruffian replied, "To you, or any English coward." Instead of treating this rodomontade with sovereign contempt, the young man agreed to meet him the following morning with pistols. The report of this intended meeting was generally known in the garrison; and it is deeply to be lamented, that the commanding officer did not place the ardent youth under close arrest, but it appears that he was satisfied with the assurance on the part of the French *commissaire de police*, that the offending party should be apprehended and sent out of the town. This, however, was not done, and the meeting took place on the following morning. Although

to afford them any satisfaction, and dilated on the absurdity of making a national war the subject of personal hostility, while I enlarged on the friendly feeling that had prevailed between our armies during the Peninsular war, and recalled to their recollection the many kind acts that we had shown each other when prisoners and wounded. The officers not only listened to me with the greatest attention, but one of them actually hugged me in his rude embrace, and I was obliged to accompany them to an hotel, and sup with the party. The next morning there was not a French officer remaining in the town.

it had been clearly stipulated that the weapons should be pistols, the Frenchman came to the ground with unbuttoned foils, alleging that he could not procure pistols. G—— very imprudently offered him one of his own, and fell, mortally wounded, at the first discharge. It was observed, that on their mutual fire, the Frenchman staggered a pace or two; when collecting himself, he advanced to poor G——, who was expiring in the arms of his companions, and said with much *sang-froid*, "Poor young man! had we fought with swords, he would have been spared all this agony." What he meant by this expression it is difficult to say, whether he would have killed him *outright*, or slightly wounded him. The latter surmise, however, is not probable.

When a party of men came from the gate to bear away G——'s body, the French officer exclaimed that "it would be treachery to apprehend him;" but he was presently undeceived, and advised in the most honourable manner to effect his escape as speedily as possible. The fellow, however, seemed to confide in the protection of his countrymen and the apathy of our commander, for he went publicly to the coffee-house, boasting that, after killing a Prussian, an Austrian, a Spaniard, and a Portuguese, he at last had been lucky enough to kill an Englishman. During this conversation he exhibited a silk

handkerchief pierced with several shot-holes, and which he said had been grazed by his adversary's ball. This circumstance, connected with his having staggered on G——'s fire, gives every reason to believe that he wore a cuirass, our inexperienced officers not having insisted upon his stripping, according to the established rule in French duels, when both parties are obliged to show that they wear no protection.

CHAPTER XIV.

DUELS BETWEEN FRENCH WOMEN.

That women, who can mostly get silly people to fight for them, should not fight themselves is natural, but there are instances on record in which ladies have shown their determination to avenge their own wrongs.

Madame de Villechen mentions a duel fought with swords by the Henriette Sylvie of Molière with another woman, both in male attire. In the letters of Madame Dunoyer, a case is mentioned of a lady of Beaucaire and a young lady of rank, who fought with swords in their garden, and would have killed each other had they not been separated; this meeting had been preceded by a regular challenge.

De la Colombière mentions a duel that took place on the Boulevard St. Antoine between two ladies of doubtful virtue, in which they inflicted on each other's face and bosom several wounds, two points at which female jealousy would naturally aim. St. Foix relates the case of Mademoiselle Durieux, who in the open street fought

her lover of the name of Antinotti. But the most celebrated female duellist was the actress, Maupin, one of the performers at the opera. Serane, the famous fencing-master, was one of her lovers, and from him she received many valuable lessons. Being insulted one day by an actor of the name of Dumény, she called him out; but as he refused to give her satisfaction, she carried away his watch and his snuff-box as trophies of her victory. Another performer having presumed to offend her, on his declining a meeting was obliged to kneel down before her and implore forgiveness. One evening at a ball, having behaved in a very rude manner to a lady, she was requested to leave the room, which she did on the condition that those gentlemen who had warmly espoused the offended lady's cause should accompany her. To this proposal they agreed; when after a hard combat she killed them all, and quietly returned to the ball-room. Louis XIV. granted her a pardon, and she withdrew to Brussels, where she became the mistress of the Elector of Bavaria. However, she soon after returned to the Parisian opera, and died in 1707 at the age of thirty-seven.

Under the regency a pistol meeting took place between the Marquise de Nesle and the Countess Polignac for the possession of the Duc de Richelieu; and in more modern times, so late, indeed, as 1827, a Madame B—— at St.

Rambert, received a challenge to fight with pistols; and about the same period a lady of Châteauroux, whose husband had received a slap in the face without resenting the insult, called out the offender, and fighting him with swords severely wounded him.

In 1828 a duel took place between a young girl and a *garde du corps*. She had been betrayed by the gallant soldier, and insisted upon satisfaction, selecting her own weapons by the right of an offended party. Two shots were exchanged, but without any result, as the seconds very wisely had not loaded with ball. The young lady, however, ignorant of this precaution, fired first, and received the fire of her adversary with the utmost coolness, when, to try her courage, after taking a long and deliberate aim, he fired in the air, and thus terminated the meeting, which no doubt led to many others of a less hostile nature.

In the same month, as a striking instance of the contagion of this practice, a duel was fought near Strasbourg between a French woman and a German lady, both of whom were in love with a painter. The parties met on the ground armed with pistols, with seconds of their own sex. The German damsel wanted to fire across a pocket handkerchief, but the French lady and her seconds insisted upon a distance of twenty-five paces, They both fired without effect, when the exasperated German insisted that they should

carry on the contest until one of the parties fell. This determination, however, was controlled by the seconds, who put a stop to further proceedings, but were unable to bring about a reconciliation.

We shall shortly see that our English ladies have shown as much determination under similar circumstances; and when we consider the bitter animosity that frequently exists between women, who are not in the habit of resenting their real or supposed wrongs by having recourse to a personal satisfaction, which may be considered the safety-valve of passions, and which not unfrequently supersedes assassination, one may be surprised that duels are not more frequent between them. Their mode of living and habits must induce them to brood more deeply than men over the insults which their pride and vanity have received, and in both sexes these sentiments, when ruffled, can rarely be smoothed down. The only reason which may be adduced to account for the circumstance is their natural timidity as regards personal danger, to which we may add the greater certainty of avenging their injuries by intrigue and slander, "whose edge is sharper than the sword."

CHAPTER XV.

CODE OF DUELLING ESTABLISHED IN FRANCE.

We have seen that France has ever held out an example in duelling; and the rules which were established in that country, at various periods, to regulate these hostile meetings, have generally been considered as precedents in other countries; more especially on the continent of Europe.

The French admit three sorts of offences: 1st, a simple offence; 2nd, an offence of an insulting nature; and, 3rd, an offence with personal acts of violence. In these cases, they have established the following rules; which, indeed, so long as duelling is tolerated, may be considered most judicious, and such as should regulate the arrrangements of all quarrels.

1. If in the course of a discussion an offence is offered, the person who has been offended is the injured party. If this injury is followed by a blow, unquestionably the party that has been struck is the injured one. To return one blow

by another of a more serious nature, — severely wounding, for instance, after a slap in the face,— does not constitute the person who received the second blow, however severe it may have been, the party originally insulted. In this case, satisfaction may be demanded by the party that was first struck. Such a case must be referred to the chances of a meeting.

2. If an insult follows an unpolite expression, —if the aggressor considers himself offended, or if the person who has received the insult, considers himself insulted, — the case must also be referred to a meeting.

3. If in the course of a discussion, during which the rules of politeness have not been transgressed, but in consequence of which, expressions have been made use of, which induce one of the party to consider himself offended, the man who demands satisfaction cannot be considered the aggressor, or the person who gives it the offender. This case must also be submitted to the trial of chance.

4. But if a man sends a message, without a sufficient cause, in this case he becomes the aggressor; and the seconds, before they allow a meeting to take place, must insist upon a sufficient reason being manifestly shown.

5. A son may espouse the cause of his father, if he is too aged to resent an insult, or if the age of the aggressor is of great disparity; but a

son cannot espouse the quarrel of his father if he has been the aggressor.*

6. There are offences of such a galling nature, that they may lead the insulted party to have recourse to acts of violence. Such acts ought invariably to be avoided, as they can only tend to a mortal combat.

7. The offended party has the choice of arms.†

8. When the offence has been of a degrading nature, the offended has the right to name both arms and duel.‡

9. When the offence has been attended by acts of violence, the offended party has the right to name his duel, his arms, the distance, and may insist upon the aggressor not using his own arms, to which he may have become accustomed by practice; but in this case, the offended party must also use weapons in which he is not practised.

10. There are only three legal arms: 1st, the

* This is a very judicious rule. An aged man may grievously offend another, skreening himself by his age and infirmities; and he, therefore, should be made personally responsible for his conduct, and obliged to make a most humble apology, if he cannot afford what, unfortunately, is considered personal satisfaction. This rule will also prevent the sacrifice of life, to which filial affection might expose a generous youth, who in his conscience may condemn his father's conduct.

† This is a point of such vital importance, that it is impossible to be too careful in ascertaining coolly and deliberately from which of the parties the insult originated.

‡ To name a duel, refers to time and place.

sword; 2nd, the sabre; 3rd, the pistol. The sabre may be refused even by the aggressor, especially if he is a retired officer; but it may be always objected to by a civilian.

11. When a challenge is sent, or a meeting demanded, the parties have a mutual right to the name and address of each other.

12. The parties should immediately after seek their seconds, sending to each other the names and addresses of their seconds.*

13. Honour can never be compromised by the offending party admitting that they were in the wrong. If the apology of the offending party is deemed sufficient by the seconds of the offended; if the seconds express their satisfaction and are ready to affirm this opinion in writing; or if the offender has tendered a written apology, considered of a satisfactory nature;—in such a case, the party that offers to apologise ceases to be the offender; and if his adversary persists, the arms must be decided by drawing lots. However, no apology can be received after a blow. An amicable arrangement of a quarrel should take place before the parties meet on the

* This is a point of great importance. It sometimes happens, that a man who has insulted another, will select as his second some notorious ruffian, who will, to use the common expression, "fix a quarrel" on him, and endeavour to fight for his principal. Not long ago, a fellow advertised himself in the public papers, to fight for any person who might require his services.

ground, unless circumstances prevent a prior interview. Howbeit, if when upon the ground, and even when armed, one of the parties thinks proper to apologise, and the seconds of the offended party are satisfied, it is only the party that tenders the apology upon whom any future unfavourable reflections can be cast.

14. If the seconds of the offending party come to the ground with an apology, instead of bringing forward their principal, it is only to them that blame can be attached, as the honour of their principal was placed in their hands.

15. No challenge can be sent by collective parties. If any body or society of men have received an insult, they can only send an individual belonging to it to demand satisfaction. A message collectively sent, may be refused; but the challenged party may select an antagonist, or leave the nomination to chance.

16. All duels should take place during the forty-eight hours that have succeeded the offence, unless it is otherwise stipulated by the seconds.*

17. In a duel with pistol or sabre, two seconds to each combatant are indispensable: one will suffice when the sword is used.

* This rule is of importance. Forty-eight hours may be considered a fair time to reflect upon the painful necessity of a hostile meeting; and there is in general reason to suppose, that a challenge sent long after a provocation, has been the result of the interference of *busy friends*.

18. It is the duty of the seconds to decide upon the necessity of the duel, and to state their opinions to their principals. After having consulted with them in such a manner as not to allow any chance of avoiding a duel to escape, they must again meet, and exert their best endeavours to settle the business amicably. If they fail in this attempt, they must then decide upon arms, time, place, distance, and mode of fighting; and at the same time they must endeavour to come to some arrangement regarding any difficulties that might arise, when the parties are on the ground.

19. Seconds are not witnesses; and each second should have a witness.*

20. No second, or witness, shall become a principal on the spot. Any insult received by them constitutes a fresh offence.

21. The seconds should not remain more than ten minutes on the ground without a combat.

22. The seconds in a duel with swords, may request that the offended party shall be allowed to ward off a lounge with the left hand. This, however, may be refused by the seconds of the aggressor.

23. The seconds of the aggressor may, if they think proper, refuse to fire by signal, if the aggressor had not struck his antagonist.

* Such an arrangement will frequently prevent fatal duels.

24. The seconds must determine whether the combatants in sword duels shall be allowed to take breath.

25. The seconds will also decide (without acquainting their principals of this decision), whether the parties are to be separated after the first wound. In this arrangement, they will be guided by the nature of the quarrel.

26. They will also decide whether a fencing-glove, or any other article to wrap round the hand, is to be allowed; a string,* or a common glove, are always allowed.

27. The seconds are never to let their principals know that they are of opinion that the nature of the insult received is such as to render a mortal combat necessary.

28. The seconds may refuse the sword if the principal is unable to use it from any infirmity, unless the offended party has received a personal injury.

29. The seconds of a person blind of one eye, may object to the pistol, unless the aggressor had struck him.

30. The sword or sabre may be declined by the seconds of a person with only one leg or arm.

31. The seconds of a young man shall not allow him to fight an adversary above sixty years of age, unless this adversary had struck him; and, in this case, his challenge must be accepted

* Sword-knot.

in writing. His refusal to comply with this rule is tantamount to a refusal to give satisfaction, and the young man's honour is thereby satisfied.

32. If any unfair occurrence takes place in a duel, it is the duty of the seconds to commit the circumstance to paper, and follow it up before the competent tribunals, when they are bound in honour to give true evidence.

33. It is the duty of seconds to separate the combatants the very moment that the stipulated rules are transgressed.

34. A father, a brother, a son, or any relation in the first degree, cannot serve as second, for or against his relative.

35. In sword duels, the seconds will mark the standing spot of each combatant, leaving a distance of two feet between the points of their weapons. The standing ground to be drawn for by lots.

36. The swords must be measured to ascertain that they are of equal length. In no instance must a sword with a sharp edge or a notch be allowed.

37. The combatants will be requested to throw off their coats, and to lay bare their breasts, to show that they do not wear any defence that could ward off a thrust. A refusal to submit to this proposal is to be considered a refusal to fight.

38. The offended party can always use his own weapons, if they are considered of a description fitting the combat. If, on comparing arms, the swords should be found to differ, the choice must be decided by chance, unless the disproportion is of a material nature.

39. When the hand is wrapped up in a handkerchief, an end of it is not to be allowed to hang down: should the party refuse to draw it up, the seconds may insist that he throws it off altogether, and is only allowed a sword-knot.* If fencing-gloves are allowed, and one party declines their use, the other is not to be deprived of them; but, if only one glove has been brought to the ground, it cannot be used.

40. When the combatants are on the ground, the seconds are to explain to them all the stipulated arrangements, that they may not deviate from them on the plea of ignorance. This being done, the signal of attack is given in the word "Go" (*allez*); but, if before this signal, the parties have already crossed swords, the signal is not necessary; but the first who advanced without it is liable to censure.

41. The seconds shall hold a sword or a cane, bearing the point downwards, and, standing close to each combatant, be prepared to stop the com-

* This is an important precaution, since a considerable advantage will be obtained over an adversary, if the point of his sword should be caught in the end of the handkerchief that hangs down.

bat the moment that the rules agreed upon are transgressed.

42. Unless previously stipulated, neither of the combatants shall be allowed to turn off the sword of his adversary with the left hand: should a combatant persist in thus using his left hand, the seconds of his adversary may insist that the hand shall be confined behind his back.

43. In a sword duel, the combatants are allowed to raise themselves, to stoop, to vault to the right or to the left, and turn round each other.

44. When one of the combatants exclaims that he is wounded, or that a wound is perceived by his second, the combat is to be stopped; with the consent of the wounded man, the combat may be renewed.

45. If the wounded man, although the combat is ordered to be stopped, shall continue to press upon his adversary with precipitation, this act is tantamount to his desire to continue the conflict, but he must be stopped and reprimanded. If, under similar circumstances, the combatant that is not wounded continues to press on his antagonist, although ordered to stop by the seconds, he must immediately be checked by them, and considered as having infringed the stipulated rules.

46. When a second raises his sword or cane, it must be considered as the signal to stop;

in such cases, the other second shall cry out "Stop," when the parties must recede one step, still remaining in guard.

47. *In pistol duels* the nearest distance should be *fifteen paces*. The sight of the pistol should be fixed, and not more than fifteen lines difference be allowed in the length of the barrel: it is also desirable that the barrel should not be rifled, and that the pistols should be of a similar description.

48. The stand of each combatant to be decided by lot.

49. It is desirable that the same pair of pistols be used by both parties.

50. The seconds shall load the pistols with the most scrupulous care, and in the presence of each other. If one pair of pistols is used, each second will use a similar charge, by allowing the other to try the charge with a ramrod, or by loading in the presence of four witnesses.*

51. The combatants must be placed on the ground by their respective seconds; if thirty-

* The trial by ramrod is an uncertain mode, as the depth of the charge will vary according to the wadding; a regular powder-measure is the only method that can ensure a fair proceeding; and, in loading by measure, great care must be taken that the measure is given from hand to hand. I have known a measure thrown upon the grass, (purposely or not, I cannot presume to say,) and it was taken up quite wet by the other party's second, who, had he not perceived the circumstance, would have loaded his friend's pistol with damp powder.

five paces have been fixed upon, the offended party has a right to the first fire; if only fifteen paces are marked, the first fire must be decided by drawing lots.

52. The seconds have a right to ascertain that the principals do not carry any defence about their persons. A refusal to submit to this examination is to be considered as a refusal to fight.

53. The seconds of both parties shall stand together; having taken their ground, they first command, "Make ready," which is followed by the word "Fire."

54. A miss-fire is considered a shot, unless stipulation to the contrary has been made.

55. If one of the party is wounded, he may fire upon his antagonist, but not after the expiration of two minutes.

56. When both parties have fired without effect, the pistols are to be reloaded in the same manner as before.

57. In the pistol duel *à volonté*, the seconds are to mark out the ground, at a distance of thirty-five to forty paces; two lines are then to be traced between these two distances, leaving an interval of from twenty to fifteen paces. Thus each combatant can advance ten paces.

58. The ground being taken, one of the seconds, drawn by lot, gives the word "March."

59. The combatants then advance upon each

other, if they think proper, holding their pistols vertically while advancing ; but they may level the weapons and take aim on halting, although they may not fire at the time, but continue to march on unto the line of separation marked with a cane or a handkerchief, where they must stop and fire. But, although one of the parties may thus advance to the limits, his antagonist is not obliged to move on, whether he has received the fire of his antagonist, or reserved his own.

60. The moment one of the combatants has fired, he must halt upon the spot, and stand firmly to receive the fire of his adversary, who is not, however, allowed more than one *minute* to advance and fire, or to fire from the ground he stands on.

61. The wounded party is allowed one minute to fire upon his antagonist from the moment he is hit; but if he has fallen on the ground, he will be allowed two minutes to recover.

62. In this form of duel, a pair of pistols may be allowed each combatant; but this is only allowed when one of the parties has received a blow.* In these cases, a pistol of a different pair is to be given to each combatant. The affair

* There is much judicious consideration in thus allowing great advantage to the person who has received a blow, as it may tend to render hasty subjects more cautious, not only from the just apprehension of their affording considerable advantage to their opponent, but of rushing into a quarrel of a desperate character.

cannot be considered terminated, unless the four pistols have been discharged.

63. When four pistols are used, if one of the party is wounded, the contest must cease, and the wounded man not be allowed to fire, as it is evident that his antagonist, who might remain with a loaded pistol, would have an unfair advantage over him in a cool deliberate fire.

64. When one of the parties is wounded, the affair must be considered ended, even though the wounded party should express his wish to proceed, unless the seconds consider him in a fit state to continue the combat.

65. In the pistol duel called *à marche interrompue*, a distance of forty-five or fifty paces is measured, and two lines are traced and marked between the distance of fifteen to twenty paces. Thus the combatants may advance fifteen paces.

66. On the word "March," the combatants may advance in a *zigzag* step, not exceeding two paces. They may take aim without firing; and while advancing stop when they choose, and advance again; but once having fired, both parties must halt on the spot.

67. The combatant who has not fired, may now fire, but without advancing; and the party who has fired, must firmly stand the fire of his antagonist, who for that purpose is allowed half a minute; if he allows a longer time to elapse, he must be disarmed by the seconds.

68. In the pistol duel, called *à ligne parallèle,* two parallel lines are traced by the seconds fifteen paces from each other, and from thirty-five to twenty-five paces in length.

69. The combatants are placed at the extremity of each line, fronting each other.

70. The seconds stand behind their principals in a situation that may not expose them to the fire of the parties. The signal is given by the word "March."

71. The combatants then advance, not upon each other, but in the direction of the line that has been traced for them; and, therefore, whether one of the adversaries has advanced or not, he will find himself placed at fifteen paces from the other.

72. The champion who fires must stop; but he may halt without firing, take aim, and continue to advance.

73. In the pistol duel called *au signal,* the signal is to be given by the second of the offended party by three claps on the hand, three seconds being counted between each clap, which will take up nine seconds; or two seconds, which will take up six seconds. In other cases, the seconds draw lots for giving the signal.

74. The combatants, when they have received their arms, are to walk, but keep the muzzles of the pistols pointing to the ground; at the first

signal they will raise their arms, take aim at the second signal, and fire simultaneously at the third.

75. If one of the combatants fires before the third signal, or half a second after it, he is to be considered as a dishonourable man, and, if his antagonist is killed, an assassin ; and if he fires before the signal without effect, his opponent has a right to take as much time as he thinks proper to level at him and shoot him.

76. If one of the parties has fired agreeably to the stipulated signal, and his antagonist has dishonourably reserved his fire, it is the duty of the seconds, *at all risk and peril*, to rush upon him and disarm him. In this case, the party who had observed the rules has a right to demand another duel of a different form.

77. The second who is to give the signal, should warn the combatants of the nature of the signal, in a loud and audible voice, in the following words : " Recollect, gentlemen, that honour demands that you should only fire upon the third signal being given ; that you are not to raise your arm until the first signal, and not to fire until the third. I am now going to give the signals, which will consist of three claps on the hand."

78. In *the duel with sabres*, the seconds should endeavour to have it fought with short sabres, these arms being less fatal than the long ones.

79. The ground taken, the antagonists are to be placed opposite each other, at the distance of one foot from their sabre points.

80. In general these duels are fought with cuff-gloves; but, otherwise, the parties may wrap a handkerchief round their hand and wrist, provided that no end is allowed to hang down.

81. In regiments, the regimental sabre is to be the arm selected, provided that they are of the same length, and mounted in the same manner. The same precautionary steps are to be adopted as in a sword duel, to ascertain that no defence is worn by either party.

82. The signal of "Allez" (Go) having been given, the combatants advance on each other, and either give point or cut, vaulting, advancing, or retreating at pleasure.

83. To strike an adversary when disarmed, to seize his arm, his body, or his weapon, is a foul proceeding. A combatant is disarmed when his sabre is either wrenched from him or dropped.

84. In *sabre* duels in which the point of the arm is not to be used, sabres without a point are to be chosen. To give point and kill an adversary by the infringement of this rule, is to be considered an assassination. These duels should always be considered terminated on the first loss of blood.

In addition to these regular duels, the French

have what they call *duels exceptionnels;* in which cases, which are of very rare occurrence, the combat may take place either on foot or on horseback, with carbine, musket, or pistol; but no one is obliged in honour to accept such challenges, and the conditions of the combat are to be specified in writing before it can take place.

In the combat on horseback the seconds are also to be mounted, and the combatants placed at twenty-five paces' distance from each other; with the carbine, at sixty paces; with the musket and on foot, at one hundred paces, and advance to sixty: the parties fire and reload at will, until they reach the limits pointed out.

In many instances the French place the combatants back to back, to face about and fire at the given signal.

Duels are occasionally fought in which only one pistol is loaded; in which case it is no easy matter to procure a second. The following is the murderous practice:—Arrived on the ground, the seconds of the parties withdraw at least to a distance of fifty paces from the spot fixed upon for the assassination. They load one pistol, but prime them both; they then beckon the combatants to come for their pistols. The second who is to load the weapons, and who has been selected by lot, gives them to the other second, who places them in the hands of the principals, the choice having been also decided by chance; the

second holding both pistols behind his back, and the parties crying *right* or *left*. This being done, the two seconds who had delivered the arms, and who are armed themselves, advance within three paces of the combatants; the other seconds stand at a distance of twenty paces.

The seconds then read to the combatants the stipulation of the meeting, and give to each of them the end of a handkerchief to hold, after having made them strip off their coats, and ascertained that they wear no defence.

The signal is given by one clap of the hand: if the party having the unloaded pistol fires before the signal, or rather burns priming, his adversary has a right to blow out his brains; but if the lucky drawer of the loaded pistol fires before the signal, and kills his antagonist, he is an assassin, and the seconds are bound to prosecute him before the competent tribunals.

The French practise another mode of duelling with pistols, which may be considered as less calculated to cause a fatal result. This they call *Duel à marche non interrompue et à ligne parallèle.*

Arrived on the ground, two parallel lines of thirty-five paces in length are traced at a distance of twenty-five paces: the standing is drawn by lot, as well as the choice of arms, which must be unknown to the parties. The combatants are then placed by their seconds at the extremity of each line, facing each other. At the word

"March," the combatants advance on the traced line; in following which they cannot approach each other nearer than twenty-five paces. They are not allowed to halt, but must advance simultaneously: they are also to fire without stopping, and, after firing, to march on to the extremity of their line. If one of the parties is wounded before firing, he has only the time to fire which his opponent may take in reaching the limits prescribed. If neither of the parties are hit, the duel must terminate without further proceedings.

The preceding rules, which are founded upon long experience in this fatal practice, have been sanctioned by twenty-five general officers, eleven peers of France, and fifty officers of rank. The minister of war, who could not consistently with his public duties affix his signature to the document, gave his approbation in an official letter, and the majority of the prefects equally sanctioned the regulation.

CHAPTER XVI.

FRENCH VIEWS OF THE CHARACTER AND DUTIES OF A SECOND, AND THE EXPEDIENCY OF DUELLING.

In the choice of a second, if physical courage be a requisite quality, and experience is equally desirable, a moral courage is still more precious; for, even after the meeting, seconds may find themselves vested with the character of a judge, and the avenging jurors of a victim, if one of the parties has transgressed the adopted rules which were to regulate the combat.

A second may be considered as the confessor of his friend, who places an implicit reliance on his advice; he therefore can never divulge the communications thus made to him. There are instances where an offended person will urge his second to insist upon a hostile meeting; and not unfrequently the principal may express a wish to avoid the dangers of the conflict, provided his honour is not at stake. If such proposals do not coincide with the second's ideas of honour, he should withdraw; but never divulge the secrets

of the friend who unbosomed himself in confidence, and avowed sentiments of revenge, hatred, or perhaps pusillanimity.

While the second has the right to differ in opinion with the friend who consults him, the offended person has also the unquestionable right to thank him for his advice, which his feelings prompt him to decline. It is therefore obvious that it is the duty of a second to weigh most maturely the nature of the case, and to advise his friend to adopt the same mode of proceeding which he himself would follow under similar circumstances.

Frequently an apology is offered by a second. If it is considered of a satisfactory nature, no disinclination should be manifested in accepting it. This, however, should not be considered a rule; since, in many cases, troublesome persons will wantonly offend, under the impression that an apology will be sufficient to exempt them from further responsibility.

It should be an established rule amongst seconds, never to allow a duel to be fought between a debtor and creditor when the former is the aggressor; and, in a quarrel arising from pecuniary affairs, the debtor must liquidate his obligations before he can be allowed to peril his creditor's life. On these occasions the seconds must state in writing their objections to the duel,

to protect the character of the parties; the case is different if it is the creditor who challenges the debtor.

Seconds should never allow their friends to fight with a fencing-master, unless the latter has been struck by the aggressor. With fencing-masters the pistol must be the chosen weapon.

Instances are known where the principals have expressed a desire to load their own pistols; in such cases, when both parties have acceded to the request, they are to prime and load in the presence of the seconds of their adversaries, and the charge of powder is to be determined.

It has been stated in the regulations, that two seconds may be considered sufficient in a sword duel, but that four should be present at a duel with pistol or sabre. The reason of this distinction arises from the following circumstances: in case of a slight wound, which is frequently inflicted by the sword, it is more probable that two seconds will come to an amicable arrangement than four; and that, where there is no minority of opinion, the particulars of the meeting will more probably be kept secret in the interests of all parties: moreover, the rules of a sword meeting are generally known and recognised. With pistol or sabre the case is different, and the mode of fighting varies materially;

it therefore requires that a greater number of persons should be present, to bear witness as to the fairness of the transaction.

In a sword duel it should be stipulated whether the parties have a right to turn off the weapon with the left hand; if this permission is not granted, most unquestionably the act must not be allowed: but as a combatant may mechanically, nay instinctively, use his left arm without any dishonourable intention, it would be advisable that this mode of parrying a lounge were permitted to both combatants.

In the selection of arms, it has been said, that a cripple who has struck another person should be obliged to use the weapon which the offended party has thought proper to name. This is but just; the advantage would be on the side of the cripple, who, unable to use a sword, has perhaps studied pistol practice; and a man who is able to strike another must be considered able to hold a sword.*

When one of the parties is wounded, it is the imperative duty of the seconds to stop all further hostility; but a combat should only be stopped at the command of the seconds. Instances are on record where one of the parties

* I cannot agree with this conclusion; a swordsman may so provoke a cripple, that the latter, generally irascible, may so far forget himself as to strike his offender: in such cases, a pistol meeting, without taking aim, is the fairest mode of proceeding.

has exclaimed to the other, "You are wounded;" thus throwing him off his guard, and availing himself of his perturbation to press upon him. In such cases, if the verbal command of the seconds is not sufficient to check the dishonourable combatant, it is their duty, at all risk and peril, to rush upon him and forcibly disarm him; and it is therefore desirable that seconds should be armed.

Now-a-days, seconds rarely provoke each other. Justice and urbanity should be their guides; and, in the event of seconds differing, it is always advisable to call in an arbiter, who should in general be selected from amongst experienced and elderly military men.

It is of great importance that seconds should insist on a simultaneous fire. A duellist makes the following calculation:—If I fire first, and kill or severely wound my antagonist, I am rid of him: if I have been unfortunate in the selection of arms, my antagonist very probably, from motives of generosity, will not return the fire; for when a man knows that he is safe, and that his fire, if it missed, would only expose him to further danger, he will frequently be inclined to terminate the affair; while, at the same time, a generous and brave man feels a natural repugnance in firing at a defenceless person, and will therefore feel disposed to fire in the air, or, what is more conclusive, give up his pistol to

his second, and he experiences a sense of gratification in so doing, whether he is the aggressor or the offended party. But although these generous sentiments, or these prudential motives, may induce a principal not to return a fire if his antagonist has fired before the signal, the latter becomes a criminal, and the seconds are in duty bound to prosecute him; since it has been already stated, that, if one of the parties fire before the appointed signal, his adversary has the unquestionable right to take a deliberate aim and blow his brains out. In such cases of dishonourable breach of the stipulated arrangements, it would be desirable that the jury should be guided by an established code, whether the treacherous combatant was successful or not in the perfidious attempt to assassinate his opponent.

The duties of a second are of such vital importance, that a celebrated fencing-master used frequently to say, "It is not the sword or the pistol that kills, but the seconds."

With the safeguard of these precautionary regulations, although duelling is alike inconsistent with humanity and reason, there are many French writers who still advocate its necessity; such is Jules Janin, who speaks of it in the following terms: "The man is lost in the world of cravens, who has not the heart to risk his life; for then, cowards, who are numberless, affect courage at his expense. The man is lost

in this world, in which opinion is everything, who will not seek to obtain a good opinion at the sword's point. The man is lost in this world of hypocrites and calumniators, who will not demand reparation sword in hand for the calumnies and the malicious reports to which he has been exposed. Slander stabs more keenly than steel; it crushes with greater certainty than a pistol bullet. I would not wish to live twenty-four hours in society, constituted as it is at present, without the protection of the duel.

"A duel makes of every one of us a strong and an independent power, and constitutes out of each individual life the life of all; it grasps the sword of justice, which the laws have dropped, punishing what no code can chastise, — contempt and insult. Those who have opposed duelling are either fools or cowards; and those who have both condemned and advocated the practice, are on both sides sophists and mendacious. It is to duelling alone that we owe the remains of our civilization."

The following are the opinions of Walsh on the same subject: "In questions which appertain to our habits and customs, more wisdom will be found in the drawing-room than in schools. The hand that can best hold a sword will often be found to handle the pen with equal ability when the terrible question of the point

of honour and the duel is discussed, a question which has cost France as much ink as blood.

"The honour of a gentleman tells him that he cannot expect from a martial race a patience and endurance under insult which is foreign to its character. The French will ever refer to the sword as to their origin. When the executioner stands behind their adversary, they are excited instead of being restrained, and dare a double death. If we maturely weigh this matter, will it not be found that a duel is the last vestige of that personal magistracy which social magistracy gradually destroyed, but which it is sometimes called upon to acknowledge? Duelling, so deplorable in many points of view, has however been useful to our epoch; since it has preserved civilization from the inroads of brutal vulgarity with which it was threatened during our revolution, and the confusion of all grades. Let us appeal to our conscience; and can we affirm that pugilism would not have been introduced into our senate, had not duelling, as master of the ceremonies of civilization, protected it from brutality?"

Chatelain's remarks on this subject are also worthy of quotation: "It is a long time since the controversy on duelling was exhausted: all that has as yet resulted from the discussion is, that its adversaries have triumphantly de-

monstrated the barbarity of the custom; nevertheless, duelling has not been discontinued, but has, as in former times, exercised its fatal influence, and levied from society an annual tribute of blood and tears. Philosophy has exerted its best endeavours, and has triumphed in the presence of reason; but receded before the tyranny of prejudice, and the tenacity of custom. What resources, then, are left to those who would still strive in the cause of humanity to exert themselves further? The coercive influence of the law has been found as ineffectual as the persuasive power of reason; how, then, shall we stem the tide of opinion? For three centuries, legislation and philosophy have been unsuccessful; therefore, since we must submit to an irresistible evil, let us seek to limit its sphere of action. Let us trace rules which shall not be infringed, and define the exigences of the point of honour, by warning sensible men against an exaggeration of susceptibility, and by determining on invariable rules the duties of seconds, whose inexperience on these occasions may become so fatal, but whose wisdom and firmness may in many cases prevent the most calamitous results."

CHAPTER XVII.

DUELS IN ITALY.

In the commencement of this work I have endeavoured to show that the practice of duelling was unknown amongst the ancient Romans; for although, as I have observed, various combats have been recorded between individuals who had stepped out of the ranks of their army to sustain the honour of their country, yet they cannot be considered in the light of duels, as no private resentment or personal wrongs had to be gratified or revenged. Such were the combats of Manlius Torquatus and Valerius Corvinus.

It was after the irruption of the northern barbarians that these savage hordes, after putting to the sword as many victims as they could immolate, turned against each other their blood-stained arms; and historians relate that, after the failure of the Goths in their attack upon Rome in 405, upwards of thirty thousand of these barbarians destroyed each other on their retreat. It was after the progress of Christianity amongst these fierce invaders that these scenes of murder

gradually ceased to prevail, as appears by the following letter of Theodoric to the rude tribes of Hungary.

"It is against the common enemy that you should display your valour, and not against each other. A slight difference between you should not lead you to such an extremity; but confide in that justice which constitutes the joy and the tranquillity of the world. Why have recourse to duels, when public officers are not venal, and the judges in my dominions are incorruptible? Lay down your arms, since you have no enemies to contend with. You commit a crime in raising your weapons against relations for whom you should be proud to perish. And why use an armed hand, when you have a tongue to plead your cause? Imitate the Goths, who know how to conquer the foreigner, but who cultivate moderation and peace amongst themselves."

That this injunction was rendered necessary by the ferocity of the tribes to whom it was addressed, appears evident from a manuscript lately discovered at Cassel in Westphalia, in which was a fragment of a poem, describing a duel between a father and a son under the reign of Theodoric.

Notwithstanding the wise enactments of this prince, during the wars of extermination that followed his reign these lamentable excesses were renewed in all their horror; and in the annals of the Lombards we find numerous traces of the

prevalence of duelling, both in Cisalpine Gaul and in Germany. According to the laws of Rotharis, single combat was admitted as legal proof; and when a man had held the property of another for five years, the latter could only claim its restitution by a duel; and in litigation amongst women, they had the privilege of naming a champion to dispute their rights.

One of the most celebrated duels of that country took place in 626, to maintain the innocence of Queen Gundeberge, wife of Kharoald, King of Lombardy, which I have already related.

In 668, Grimoald made some alteration in the laws of Rotharis; but confirmed the right of women accused of an adulterous intercourse to appoint a champion to defend their fame. In 713, Luitprand confirmed the laws, but abrogated that part of them which confiscated the property of the vanquished. The language of his edict showed clearly that it was issued with repugnance: — "We are not convinced of the justice of what is called the judgement of God, since we have found that many innocent persons have perished in defending a good cause; but this custom is of such antiquity amongst the Lombards, that we cannot abolish it, *notwithstanding its impiety.*"

Charlemagne, who succeeded to the crown of Lombardy in 774, exerted himself, both in France and Italy, to put an end to, or at least to check

the practice; and it was chiefly from the Italian nobility that he met with opposition. In many instances we find the chivalrous spirit of the day nobly exerted to repress depredations. In 807 we read of a duel between a French knight-errant, De Medicis, and a bandit named Mugel, who had ravaged a district of the Florentine state, which has ever since been called *Mugello*.

When the Othos governed the Italian dominions, it was at the urgent request of the Italian nobility, that Otho II, in an assembly at Verona in 988, re-established the practice of duelling in all its vigour, not even exempting from the obligation the clergy, or women; and while personal combat had to decide between the guilty and the innocent, trials by ordeal, similar to those already detailed, were constantly resorted to. George Acropolites relates the case of an Italian archbishop, who recommended one of his deacons to submit to the trial by fire; to this the priest did not object, provided the red-hot iron was handed to him by his diocesan, who then thought it advisable to decline the ordeal on the plea that it was sinful to tempt God.

The progress of civilization in the rude manners of the times, which resulted from the discovery of the pandects at Amalfi, did not prove sufficiently powerful to check this ancient practice; and we find Charles Tocco, a celebrated Neapolitan professor, maintaining that the prac-

tice of duelling ought to be kept up, however condemnable in principle.

During the thirteenth and fourteenth centuries, the Italian press teemed with works on the noble nature of the science of duelling, which was held out to the admiration of the world in the most elegant language, although in the eleventh century the establishment of municipal corporations materially checked these chivalric excesses. It was in the thirteenth century that we see Mainfroi, natural son of Frederic II, murdering the Emperor Conrad, and killed in turn by Charles d'Anjou, who usurped the throne of Conradin, a young prince whom we find casting his gauntlet to defy the usurper, who ordered his head to be struck off in a public square at Naples. A knight had the boldness to take up the gauntlet, and carried it to Peter III, King of Arragon, who avenged the death of Conradin by the massacre of the Sicilian vespers, while he renewed the challenge of the ill-fated prince, and defied Charles d'Anjou, although sixty years old, to single combat: a challenge which was accepted, notwithstanding the King of Arragon was only forty years of age. The personal conflict, however, was avoided in the following manner: — Peter sent a message to Charles, to settle the point with each other at the head of a hundred chosen knights. Charles, despite the injunctions of the Pope, rashly accepted the pro-

posal, and our Edward I. appointed the field at Bordeaux, the day being fixed on the 1st of July 1282. Trusting to the faith of Peter, Charles raised the siege of Messina. The Pope fulminated his anathema from the Vatican, and excommunicated the Arragonese prince, who, however, treated his wrath with sovereign contempt. The day of the meeting, Charles, faithful to his engagement, entered the field at the head of his hundred knights, and remained there from sunrise to sunset, awaiting his adversary, who did not make his appearance until Charles had retired, when, with true Spanish rodomontade, he galloped and curveted over the field, and declared that he had not found his craven antagonist.

It had been stipulated, that the defaulter in this meeting should be branded with the name of traitor, and declared perjured, cowardly, and eternally infamous, worthless of all regal title or honour, and condemned for ever after to be merely followed by a humble menial.

It appears that Charles came to the lists with his uncle, Philippe le Hardi, King of France; and it is to this circumstance that the conduct of the King of Arragon was attributed. A paper war between the two princes followed; and, as both treated their adversaries as cravens, the merits of the cause were never fairly determined; while the learned Alciat declared, *Dubitatum fuit utrius causa esset justior.*

From that period arose the endless differences between the houses of Anjou and Arragon, regarding the succession to the Neapolitan crown. The Arragonese having carried their point, Charles VIII. of France, towards the latter end of the fifteenth century, as heir to Louis XI, renewed the contest, and involved his successors in ruinous wars.

Louis I, head of the second house of Anjou, was duped in 1382 in the same manner as his predecessor Charles, by Charles III, a challenge having been mutually accepted, — in which case both parties upbraided each other with falsehood. Louis appeared at the camp, when Charles attacked his army by surprise, and Louis, severely wounded in the treacherous conflict, shortly after died.

Naples, at this period, was the theatre of duelling; its practice became a science regularly professed by celebrated teachers, as the *Scienza Cavalleresca*, and Alberic Balbiano, constable of Naples, instituted a military order, under the patronage of St. George, for the due maintenance of this honourable pursuit. The knights of this noble institution wandered about the country plundering and pillaging, but ever ready to give *satisfaction* to all who considered themselves aggrieved. The *accollade* of knighthood was accompanied by the following injunction :—" The stroke of this sword is the last that

you shall patiently submit to." In the practice of this science, dexterity and cunning cuts and thrusts became accomplishments, and disarming an adversary a high feat of honour, since it afforded the right to kill the disarmed champion without further resistance or trouble.

Soon after, the bloody disputes between the Guelphs and the Ghibelins afforded numerous opportunities for personal *rencontres*, when the parties did not meet in battle array; but it is manifest, that at all times Italian duels were attended with circumstances of ferocity and treachery; and to avoid publicity, these meetings frequently took place behind hedges and ditches, and in woods and solitary places; hence the practice was called *combatere à la mazza*.

It appears that the practice of bringing in seconds and witnesses, who were to share the dangers of the principals, originated in Italy. Brantôme relates the story of a Neapolitan gentleman who, being called out, killed his antagonist; he was about leaving the field, when the second of the deceased stopped him, and observed that he could not allow him to depart until he had avenged his fallen friend. To this proposal the gentleman very politely acceded, and killed him. Another witness then stepped forward, and with much courtesy said, that if he did not feel himself tired, he would be delighted to have a share in the honour; and proposed, if

fatigued, to postpone the meeting until the following day. The gentleman was too urbane to disappoint him, and replied, that he did not feel in the least tired; and as he was warm, and his hand in, they might as well lose no time in gratifying his fancy; in a few lounges the *amateur's corpse* was stretched by the side of his two departed friends.

Brantôme makes the following remarks on this practice:—"I have heard much talk on this matter, and have been informed by great Italian captains, that they were the founders of these fights and their punctilios, which were well known theoretically and practically. The Spaniards resemble them, but are not so proficient in the art, which now-a-days our Frenchmen practise in perfection. The Italians are a little more cool and advised in this business than we are, and somewhat more cruel. They have given as an instruction to those who feel disposed to grant or to spare their adversary's life, the glorious opportunity of showing their generosity, by maiming their fallen foe, both in his legs and arms, and moreover giving him a desperate cut across the nose and face, to remind him of their condescension and humanity."

Most of the celebrated fencing-masters were Italians; and Brantôme states, that Jarnac, previous to his fatal duel with La Chastaigneraye, had taken lessons from an Italian captain, named

Caise, who had taught him the *hamstring cut.* These professors, it appears, were not very particular in regard to the means employed to kill their *man,* which they recommended to be done *in ogni modo.* Our pugnacious historian farther relates that, when he was at Milan, he took fencing lessons for a month, under a celebrated master, named Trappe; and during this period not a day passed but he witnessed at least twenty *quadrilles* of persons fighting in the streets, and leaving the dead bodies of their adversaries on the pavement. There were numerous bravoes who let themselves out to hire, to fight for those who did not feel disposed to risk their own lives. The same practice prevailed in Spain. This mode of fighting constituted the famed *Vendetta;* and the hired combatants were called *Bandeleri.*

The practice of these scientific assassins appears to have been singular; and we find Lampugnano, previous to his murdering Galeas Maria Sforza, getting a portrait of his victim painted, and exercising himself in stabbing it in various parts, until he found himself sufficiently dexterous to kill him in church with seven mortal stabs.

In 1528, four Florentines fought in presence of the Prince of Orange, when one of the combatants summoned his antagonist whom he had overthrown to surrender; but the prostrate champion exclaimed, "I surrender to the Prince!" "There is no other prince here but myself," re-

plied his adversary; and with a dagger at his throat he compelled him to submit.

In the expedition of the Duke de Guise, in 1557, under Henri II, a duel was fought at Ferrara, in presence of the Duke Hercules d'Este, and his brother the cardinal, in a hall of the palace, which was lighted up with torches on the occasion.

The Prince of Melfe Caraccioli, who commanded the forces of Francis I. from 1545 to 1550, issued many orders to check the practice of duelling: one of them was to compel duellists to fight upon the parapet of the bridge of Turin, so that the combatant who lost his equilibrium, ran a fair chance of being drowned.

The Italian princes not unfrequently were engaged in murderous quarrels, although it is related of Humbert II, the dauphin of Viennois, that on receiving a challenge from Amédée, Count of Savoy, he sent the following reply to his herald: — "My friend, tell your master, that the virtues of a prince do not lie in corporeal strength; but that if he is desirous of displaying his prowess, I have not a bull in my possession that is not stronger than he is; if he wishes to ascertain the fact, I shall have great pleasure in sending him one of the fiercest."

The town of Ostuni, in 1664, was rendered remarkable by one of the most deadly family feuds recorded, and an extraordinary duel, in

Count de Conversano's castle, into which he gained admission by a recital of injurious treatment and fictitious wrongs heaped upon him by the tyrannical and arbitrary temper of the Prince de Francavilla. A complaint of this nature was always a recommendation to the count's favour and good graces; and he not only admitted the gentleman into the full enjoyment of his princely hospitality, but having found that he was an experienced and dexterous swordsman, passed most of his time in practising with him that art which he hoped would soon ensure his triumph over his youthful adversary.

A few days previous to the one fixed for the duel, the guest, under pretence of paying a visit to his relatives, withdrew from the Count of Conversano's castle, and secretly returned to his former lord, where he lost no time in communicating to his nephew all the peculiarities and advantages repeated experience had enabled him to remark in the count's manner of fencing. The Duke de Martina was thereby taught that the only chance of success which he could look to, was by keeping on the defensive during the early part of the combat: he was instructed, that his antagonist, though avowedly the most able swordsman in the kingdom, was extremely violent; and that, if his first passes could be parried, his person, somewhat inclined to corpu-

lency, would speedily be exhausted from the effects of his impetuosity. The Duke de Martina, furnished with this important advice, and strong in the conviction of what he considered a just cause, waited in calm anxiety the day of battle; and the behaviour of the two combatants on the last morning strongly characterized their different dispositions, as well as the manners and habits of the age they lived in. The duke made his will, confessed himself, and took an affectionate leave of his mother, who retired to her oratory to pass in prayer the time devoted to the conflict, while the Count Conversano ordered a sumptuous feast to be prepared, and invited his friends and retainers after the fight. He then carelessly bade his wife farewell; and, brutally alluding to his adversary's youth and inexperience, remarked, "*Vado a far un capretto,*"—"I am going to kill a kid."

The parties met at the place appointed. It was an open space, before a monastery of friars, at Ostuni; but these good fathers, by their intercessions and prayers, prevailed upon the combatants to remove to another similar spot of ground, in front of the Capuchin convent, in the same town. Here the bishop and clergy, carrying the host in solemn procession, attempted in vain to dissuade them from their bloody purpose; they were dismissed with scorn, and the duel began.

The conflict was of long duration, and afforded the duke an opportunity of availing himself of the counsels he had received: when he found the count began to be out of breath, and off his guard, he assumed the offensive, and, having wounded him, demanded if he was satisfied, and proposed to desist from any further hostility; but, stung to the soul by this unexpected reverse, he proudly rejected all offers of accommodation; actuated by blind revenge and redoubled animosity he soon lost all command of himself, and received a second wound, which terminated the contest together with his life.

It appeared afterwards that the Prince de Francavilla, whose principles were as little honourable as those of his adversary, and whose thirst of revenge was no less insatiable, had appointed a band of bravoes to waylay and murder him on his way home, had he been victorious.

When Marshal de Crequi carried the Fort des Barreaux, commanded by Philippin, natural brother of the Duke of Savoy, the latter escaped with great difficulty, by exchanging his dress for the uniform of a common soldier, with whom he left a lady's scarf which he had worn. The following day, a truce having been demanded to bury the dead, Crequi sent word by the officer who bore it, to advise Philippin to be more careful for the future of his lady's gifts; upon which Philippin sent a challenge to the

M.r Lane Del. et Sc.
Charles Sire de Crequy
Ambassadeur extraordinaire
a Rome en 1633. tué devant
Breme en 1636.
Suite d'Oeuvre Cul de Sac des Vianes

French general, which he accepted, but his adversary was prevented from attending the meeting by the duke his brother. The following year, Crequi having been made a prisoner, the challenge was renewed, when Philippin was wounded in the thigh. The Duke of Savoy, offended at the thought that his brother should owe his life to Crequi's forbearance, insisted upon another meeting, in which Philippin was killed, or, to use the expressive language of D'Audiguier, "Crequi ran him through the body, and *stitched him* to the ground." Crequi's friends exclaimed, "Kill him! kill him!" while Philippin's second begged for his life, which Crequi would only grant at his own supplication; this, however, was a difficult matter, as the unfortunate man was already dead.

Not only were the duels in Italy remarkable for the treacherous acts of its combatants, but similar breaches of good faith and honour were observed in their tournaments and passages of arms. In one instance a tournament took place between twelve Frenchmen and twelve Italians, in which many of the latter were dismounted, when they crept in between the other champions, and with their stilettoes stabbed the horses of the French knights. This perfidious conduct is related by Guicciardin.

Beccaria accounts for the frequency of duelling in Italy on the following grounds:—"It

was owing to the necessity of the good opinion of others, that single combat was resorted to during a state of legal anarchy. It was in vain that this practice was forbidden under pain of death; it was found impossible to check a custom founded upon sentiments which were considered dearer than life. Why do not the lower classes of society imitate the conduct of their superiors? simply because they stand in less need of the esteem of others, than those who, from their position, are subject to more suspicion and distrust."

Filangieri follows up the argument, by maintaining, that in a duel, it is a *dolo* (a *ruse*) on the part of the aggressor, and a *fault* on the part of the offended, if he kills or injures his enemy, as very probably he might have avoided such a catastrophe; the offended party has only committed a *fault*, since he was compelled to fight by public opinion: it is, therefore, only those who have violated the established laws of duelling, who can be considered as guilty of assassination. The sophistry of this doctrine is worse than absurd.

The history of Italy shows us, that Beccaria's opinions on the subject were not exactly correct, for, while the upper classes challenged each other to single combat, we find other grades of society, even artists, avenging their wrongs with the stiletto. From this charge, we must, however, exonerate

Michael Angelo Caravaggio, who, to avenge the insult offered to him by Arpino, who had presumed to criticise some of his productions, sent him a challenge, which was rejected on the plea of disparity of condition; when our artist, to qualify himself for future occasions of the kind, went over to Malta and got himself dubbed a knight. With this distinction, it appears that he sought endless quarrels, was obliged to fly from Malta, and killed a critic in Rome, finally ending his days in abject poverty on the high-road.

It may be easily imagined that, from the constant revolutions to which Italy was exposed, the clashing interests and consequent altercations amongst its petty principalities, and the long-protracted wars the country had to wage against France and Spain, disputes and sanguinary frays must have been very frequent, and that, from the want of power, treachery was often resorted to. Convulsed by intestine discord, exposed to foreign hostility, suspecting the good faith of their allies, and oppressed by their various masters, — intrigue among the Italians became indispensable, and assassination was safer than open vengeance. We need not, therefore, be surprised that the policy of Machiavel should have been considered a national code; and in these weak states, we find that the stiletto was the weapon of diplomacy, as well as

of popular animosity. In the cabinet, assassination became a science, in the streets it was an art; and more elaborate works have been written on duels, satisfaction of wounded honour, and the various qualifications of murder, by Italians, than by the natives of any other country.* There does not exist a more consuming and ardent passion, than an impotent thirst of revenge for injuries inflicted by those whose power we dread, and whose position is such as to place them beyond the reach of legal pursuit and of justice. Assassination in such a state of society becomes a natural impulse, when the wrongs of power drive the weak and the helpless to actual madness. It is therefore unfair to stigmatize a nation with the brand of cowardice, from the prevalence of this blood-thirsty practice. It is simply the result of a bad government, corrupted nobility, and a culpable or inefficient magistracy, when crimes may be considered as an unavoidable catenation between causes and effects; and there can be no doubt that the prevalence of duelling and gambling amongst the great, and of thieving amongst the lower orders, will lead to assassination.

In viewing the nature of the governments in the various states of Italy, it may not be un-

* Amongst these we may name Antonio Massa, Pomponio Torelli, Pigna, Dario Attendolo, Suzio de la Mirandole, Fausto de Longiano, Possevino, Rinaldo Corsa, Fabio Albergoti, Maffei.

interesting to discover in which of them the practice of duelling was most general. In the Roman states they were rare; at Naples much more frequent. In Piedmont and Savoy personal meetings were seldom heard of, more especially since the French occupation; previously to which, the professors and students at the universities were in the habit of wearing swords. Yet hostile meetings occasionally take place amongst the military, engendered by disputes at balls and by love matters. The same may be said of Sardinia, where duelling is confined to the troops, and an officer is placed in a situation somewhat similar to that of our own army. If he is insulted, and does not demand satisfaction, he is expelled by his corps; and, if he fights, he is sentenced to an imprisonment of three or six months in a fort called the *Fenestrellas*. In Corsica a bloody spirit of vengeance is generally prevalent, and gave rise to that system of murder called the *vendetta*, which is frequently resorted to amongst its savage mountaineers. In these desperate excesses whole families and clans indulged, and regular challenges were interchanged. These hostile declarations were followed by every kind of atrocious acts; and constant ambuscades, combats, burning of houses, destruction of property, and slaughter even of infants, were incessantly disturbing the public peace. These intestine broils

were only terminated by treaties of peace between the parties, regularly drawn out, and registered in the archives of Ajaccio.

These excesses, at the present time, are less frequently committed; but private feuds are still decided by assassination, when the murderer generally escapes by taking to the woods and mountains, and there proscribed, he is called a *bandetto*. When taken and condemned, national prejudice absolves him from punishment as an *honorato*. In such a ferocious state of society duelling is a practice unknown; and the man who would assassinate his enemy without remorse, would scorn to commit a theft. It is in vain that courts of justice have endeavoured to check these barbarous deeds; in a late case of *vendetta*, the murderer having been acquitted, the son of the deceased, who was a magistrate, exclaimed, "The jury have acquitted thee, but I condemn thee to death." It is needless to add, that the sentence was soon carried into execution.

Italian customs prevailed in the island of Malta, and duels were frequent amongst the knights of that order, although prohibited by most of the grand masters. The *Strada Stretta* was the spot in which these meetings usually took place, and the friends of the combatants, stationed at each end of the narrow lane, prevented them from being disturbed. Assassinations at one time

were so frequent in this quarter, that an edict was issued, denouncing the penalty of death on every person who was found in it armed with pistols or daggers. But, by a singular regulation of the order, every person was obliged to return his sword into the scabbard when ordered to do so by a *woman*, a *priest*, or a *knight*. A cross was usually painted on the wall, opposite the spot where a knight had been killed, to commemorate his fall, and claim the prayers of those who passed by, to relieve his soul from purgatory.

Although the statutes of the order of St. John of Jerusalem prohibited duels, yet a knight was considered disgraced if he refused to accept a challenge. A case is recorded of two knights, who having had a dispute at a billiard-table, one of them, after much abusive language, struck a blow; but, to the surprise of all Malta, after so gross a provocation, refused to fight his antagonist. The challenge was repeated, but still he refused to enter the lists. He was therefore condemned by the chapter to make an *amende honorable* in the church of St. John for forty-five successive days, then to be confined in a dungeon without light for five years; after which he was to remain a prisoner in the castle for life.

A very curious duel took place at Valetta between a Spanish commander, of the name of

Vasconcellos, and a French commander, M. de Foulquerre, the latter having had the insolence to present some holy water to a young lady entering a church, whom the Castilian was following. Foulquerre was one of the most noted disturbers of the Strada Stretta; and, although he had been engaged in many duels, on this occasion he repaired to the rendezvous with some reluctance, as though he anticipated the result of the meeting. As soon as his adversary appeared, he said, "What, sir, do you draw your sword upon a Good Friday! Hear me:—it is now six years since I have confessed my manifold sins, and my conscience reproaches me so keenly, that in three days hence——." But the Spaniard would not attend to his request, and pressed upon him; when his opponent, mortally wounded, exclaimed, "What! on a Good Friday! May Heaven forgive you! Bear my sword to *Tête Foulques*, and let a hundred masses be said for the repose of my soul, in the chapel of the castle."

The Spaniard paid no attention to the dying man's request, and reported the circumstance to the chapter of the order, according to the prescribed rules; nevertheless he was promoted to the priory of Majorca. On the night of the following Friday, he dreamt that he was in the Strada Stretta, where he again heard his enemy enjoin him to "bear his sword to *Tête Foulques*;"

and a similar vision disturbed his slumbers every succeeding Friday night.

Vasconcellos did not know where this *Tête Foulques* was situated, until he learned from some French knights, that it was an old castle four leagues from Poitiers, in the centre of a forest remarkable for strange events; the castle containing in its halls many curious collections, amongst which was the armour of the famed knight *Foulques Taillefer*, with the arms of all the enemies he had slain in single combat; and from time immemorial, it appeared that all his successors deposited in this armoury the weapons which they used either in war or in private contests.

Our worthy prior having received this information, determined to obey the injunction of the deceased, and set out for Poitiers with the sword of his antagonist. He repaired to the castle, where he found no one but the porter and the chaplain, and communicated to the latter the purport of his visit. He was introduced into the armoury, and on each side of the chimney he beheld full-length portraits of Foulques Taillefer, and his wife, Isabella de Lusignan. The seneschal was armed *cap-a-pié*, and over him were suspended the arms of his vanquished foes. The Spaniard, having laid down the sword, proceeded to tell his beads with great devotion

until nightfall, when he fancied that he saw the eyes and mouths of the seneschal and his wife in motion; and he distinctly heard the former addressing his wife, saying, "What dost thou think, my dear, of the daring of this Castilian, who comes to dwell and eat in my castle, after having killed the commander without allowing him time to confess his sins?"—to which the lady replied in a very shrill voice, "I think, Messir, that the Castilian acted with disloyalty on that occasion, and should not be allowed to depart without the challenge of your glove." The terrified Spaniard sought the door of the hall, but found it locked, when the seneschal threw his heavy iron gauntlet at his face, and brandished his sword. The Spaniard, thus compelled to defend himself, snatched up the sword that he had deposited, and falling on his fantastic antagonist, fancied that he had run him through the body, when he felt a stab from a burning weapon under the heart, and fainted away. When he recovered from his swoon, he found himself in the porter's lodge, to which he had been carried, but free from any injury. He returned to Spain; but ever after, on every Friday night, he received a similar burning wound from the visionary Taillefer; nor could any act of devotion, or payment of money to friars or priests, relieve him from this horrible phantom.

CHAPTER XVIII.

ON DUELLING IN SPAIN.

Great events frequently arise from trifling causes; and it is possible, that had Count Julian challenged the Goth Roderic for having dishonoured his daughter, instead of requesting the aid of the Moors, Spain would not have been for eight centuries under the yoke of the infidels. At this period of the peninsular history duelling was unknown, although it is to the Arabs that some writers have attributed the institution of chivalry; and, most unquestionably, the poem of Antar may be considered a recital of chivalric deeds and adventures, as romantic as any record of knight-errantry or tournament. This curious work was the production of Asmaï the grammarian, reader to the famed Kalif Aroun-al-Raschid, and appears to have been written about the year 800. The hero of this romance always fights on horseback; his steed is named *Abjer*, his resistless sword *Dhamy;* and the loves of *Khaled* and *Djaïda* are certainly as whimsical and adventurous as those of any

couple in the palmy days of chivalry. It is more than probable that many more chivalric tales would have been found amongst the Moors, had not Cardinal Ximenes ordered all their religious works to be burnt, after the taking of Cordova, when the soldiery destroyed every MS. they could find. Few of these valuable documents were preserved; and those that are now in the Escurial relate chiefly to grammar, astrology, and theology. Florian has given the following opinion of the Moors: — "A gallantry, delicate and refined, rendered the Moors of Grenada celebrated over Europe, and formed a strange contrast with the natural ferocity of the African races. These Mussulmans, who in the battle prided themselves on their dexterity in cutting off heads, which they suspended at their saddle-bows, to exhibit them afterwards at the gates of their palaces, were the most tender, impassioned, and devoted lovers. Their wives, although in a servile condition, became absolute sovereigns when they were beloved. It was to please them that they sought for glory, and exposed their lives, rivalling each other in the magnificence of their festivals and their deeds of valour. Was this strange anomaly of mildness and ferocity, of delicate feelings and cruelty, transmitted from the Spaniards to the Moors, or did the former imbibe these mingled sentiments from their infidel invaders? This is un-

certain: one can only remark, that such a mixed character was unknown in Asia, the birth-place of these Arabs, and is still less observed in Africa, where their conquests naturalized them. From this circumstance I am disposed to think that it was due to the Spaniards. In fact, subsequent to the Moorish invasion, the court of the Kings of the Goths exhibited various instances of this disposition. After this period, we see the knights of Leon, of Navarre, and of Castile, as renowned for the ardour of their love, as for their deeds of arms; and the name of the Cid must recall vivid recollections of tenderness and of valour."

The celebrated combat between four Spanish knights and four Arabs of the tribe of Zegris, the implacable foes of the Abencerrages, has been the subject both of poetical fiction and historical record. This meeting was to vindicate the honour of the Sultana Zoraide, accused by the Zegris of an adulterous intercourse with Aben Hamet. The indignant husband had decapitated the offender, and exiled the Abencerrages. Zoraide was condemned to the stake, unless some champion came forward to maintain her innocence. Juan Chacon, of Carthagena, answered the appeal of honour, and, accompanied by three other knights, appeared in the square of Grenada in front of the Alhambra, and in presence of the whole court. The beautiful princess was covered

with a black veil, and placed on a scaffold, round which were heaped the faggots that were to consume her, in the event of her champions being conquered; but they, fortunately for her, overthrew their infidel antagonists, and proved her innocence.

In 1491 a young Spaniard fought and killed a Moor, when Ferdinand, as a reward of his valour, authorised him to bear as his motto the letters of the *Ave Maria;* and Roderic Telles, grand master of Calatrava, was renowned for his many combats with the infidels. The annals of Spanish valour abound with instances of duelling, which was sanctioned and even encouraged by various laws, more especially in Castile and Aragon.

It appears that in 1165 the King and council of Aragon abolished the practice; yet, in 1519, we find it to have been so frequent, that Charles V. issued an edict to forbid it. Nor can we be surprised at the state of barbarism in which Spain was involved: the continued incursions of the Moors, the undisciplined state of the troops, without pay or provisions, and the incessant feuds, not only between the nobles and their sovereigns, but amongst each other and their vassals, must have occasioned constant tumult and discord. Society was not secured by any pact; and rude passions alone dictated the actions of these unruly barbarians, for such,

despite their affectation of gallantry, they must be called. The unfortunate inhabitants, exposed to these continued depredations, were obliged to incorporate themselves into military bodies, to protect life and property; and we find in 1260 they had assembled in a brotherhood, under the protection of their saints, forming what was called the *Santa Hermandada*, a corps which gradually dwindled into a paid police force, resembling the *maréchaussée* and *gendarmerie* of France. The immortal author of Don Quixote often refers to this military jurisdiction, which in reality mainly contributed to put an end to the atrocities that were daily committed; and it was chiefly during the reign of Ferdinand the Catholic that these excesses were restrained.

Not unfrequently was religion mixed up with these ferocious broils; and we find the founder of the order of the Jesuits, Loyola, offering to fight a Moor who denied the Divinity of the Saviour. In the council of Pennafiel, in 1302, it had been found necessary to prohibit challenges being sent to bishops or canons; a prohibition renewed in 1669. In Portugal duelling was punished by transportation to Africa, with confiscation of goods and chattels; and in that country duels to the present day are very rare, and considered a deadly sin. Subjects of dispute are carried before a competent tribunal, and the complaint

is called *querelar*; when the parties are ordered to enter into security for keeping the peace, and are bound *bene vivere*. Not long since, when the Portuguese court was at Brazil, the Count Linhares had offended in a ball-room the Marquis de Lavradro, who sent him a message; but Linhares having fallen from his horse, the offended party felt satisfied and withdrew the challenge. Gaston de Camara, since Count Paypa, had offended in a sonnet Castello Branco, son of the Marquis de Bellari: a meeting took place, and the poet was wounded; but such meetings, both in Spain and Portugal, are very uncommon. In the late disastrous conflict between Carlists and Christinos, the challenge sent by General O'Donnel to the Christino Brigadier Lopez was considered a singular event. The chivalric bombast of this challenge is worthy of record, and highly illustrative of the Spanish character:—

"The cavalry of Don Carlos ardently desires to measure itself with that of Donna Christina; but, as the results of battles are uncertain from position, or from the number of the combatants, let us, chiefs of party, imitate the knights of old, and select an equal number of warriors who, sword in hand, will decide the question by their sheer valour. On my side, I swear upon my honour not to bring into the field a greater number of combatants than shall be agreed upon. Trusting

that my enemy will follow my example, I salute all my numerous friends and former companions who now serve in the Christino ranks, wishing them every prosperity, excepting in battle, for I know no enemy save those I meet in the field."

This challenge was accepted by the Christino general, who issued the following order of the day:—"I merely wait to know the appointed ground, to lead you into the conflict. Death is a noble reward to all those who feel Spanish blood flowing in their veins; and you will find your commander at the head of this romantic duel." It is needless to add, that this gasconading did not even end in smoke.

Notwithstanding the barbarous nature of duels, they are rarely resorted to by ferocious nations, who prefer the more certain revenge that assassination affords. There is a civilization and an honourable bearing in a duel, foreign to the Spanish character; and it cannot be expected that men capable of murdering women can meet a brave adversary in single combat, governed by the laws of honour. What can be thought of a nation whose generals issued orders to put any surgeon to death who had been known to dress the wounds of an enemy? It is painful to reflect, that after the events of June in 1833, the French police issued an order nearly as barbarous to all medical men, to send in the

names of the wounded they had been called upon to dress. Frederic the Great had also issued an edict in which surgeons were prohibited from attending any person wounded in a duel!

CHAPTER XIX.

DUELS IN GERMANY AND THE NORTH OF EUROPE.

During the middle ages Germany was desolated by feuds and hostile meetings, which had succeeded the barbarous excesses committed by the savage hordes poured forth from the northern woods and fastnesses that sheltered the descendants of the ancient Scythians and Sarmatians. The Scandinavian traditions of the wonderful deeds of their champions may prove interesting to the lovers of fiction, but they are of little importance to the historian; for, although the sages of Iceland abolished duelling after the fatal meeting that took place between the poets Gunnlang and Rafn for the beautiful Helga, in which both lovers fell, the annals of the north are fraught with the poetic details of numerous single combats and wondrous exploits.

By an ancient law of Sweden, if a man told another that he was inferior to any other man, or had not the heart of a man, and the other replied, "I am as good a man as yourself,"

a meeting was to follow. If the aggressor came to the ground, but did not find the offended, the latter was to be considered dishonoured, and held unfit to give testimony in any cause, and deprived moreover of the power to make a will. But if, on the other hand, the insulted party came forward, and the offending party did not make his appearance, the former was to call him aloud by name three times, and, if he did not appear, make a mark upon the ground, when the offender would be held as infamous and false. When both parties met, and the offended was killed, his antagonist had to pay a half compensation for his death; but, if the aggressor succumbed, his fate was to be attributed to temerity and an unguarded expression, therefore his death called for no compensation. In Norway, any gentleman who refused satisfaction to another was said to have *lost his law*, and could not be admitted as evidence upon oath. According to the Danish laws, it was held that force is a better arbiter in contestations than words; and in the judicial combats, which frequently arose on the slightest provocation, no champion was allowed to fight in the cause of another, however feeble or unskilled in arms he might be: women were not even allowed a proxy to defend them, but obliged to defend their honour personally. In such cases, to afford the woman a better chance, the man who

had offended her was obliged to get into a pit up to his waist, by which means his Amazonian opponent could wheel round him and strike him on the head with a sling or a leather thong to which was suspended a heavy stone; the male combatant was armed with a club, and if he missed her three times, or struck the ground instead of her, he was declared to be vanquished.

The Scandinavian combatants frequently selected small islands for their meetings, to prevent either of the parties from fleeing; these islands were called *Holms*, and the duels *Holmsgang*. Sometimes a hide seven ells long was spread upon the ground; at others, the lists were enclosed by circular stakes, or marked off with stones, to circumscribe their limits: whoever stepped beyond this barrier, or was beaten out of the circle, was considered conquered. The *kamping matches* of our Norfolk and Suffolk peasantry are traces of these exercises, which were called *kempfs*.

In Sweden, gentlemen fighting a duel were sentenced to death, and the memory of the deceased declared infamous. On other occasions, when the meeting had not proved fatal, the parties were condemned to two years' imprisonment on bread and water, and obliged to pay a heavy fine.

Under the reign of Gustavus II, a contemporary of Louis XIII. of France, the fashion

of duelling was at its height; and this monarch had prohibited single combat by the most severe edicts, but to no purpose. It is related of this prince, that, having heard that two officers of his army contemplated a meeting, he preceded them on the ground. On the arrival of the parties, they were not a little surprised to find the King: they were about to withdraw, when Gustavus pointed to a gallows, at the foot of which stood the hangman, and added, "Now, gentlemen, you may proceed."

It is also related of Gustavus Adolphus, that having had a dispute at one of his reviews with Colonel Seaton, an officer in his service, he gave him a blow. As soon as the troops were dismissed, the officer waited upon the King and demanded his discharge, which the sovereign signed; and the colonel withdrew without a word being said on the subject of the quarrel.

Gustavus, however, on coolly considering the matter, reproached himself for his want of temper; and hearing that Seaton intended to set out for Denmark the next day, followed him, attended by an officer and two or three grooms. When his Majesty reached the Danish frontier, he left all his attendants, except one, and overtaking Seaton on a large plain, said to him, "Dismount, sir. That you have been injured, I acknowledge, and I am now come to give you the satisfaction of a gentleman; for, being now

out of my own dominions, Gustavus and you are equal. We have both, I see, swords and pistols; alight immediately, and receive the satisfaction which your wounded honour demands."

Seaton, recovering from his surprise, dismounted, as the King had already done, and falling on his knees, said "Sire, you have more than given me satisfaction, in condescending to make yourself my equal. God forbid, that my sword should do any mischief to so brave and gracious a prince. Permit me to return to Stockholm, and allow me the honour to live and die in your service." The King raised him from the ground, embraced him, and they returned together to his capital.

The early annals of Germany afford many curious instances of trials by ordeal; but, perhaps, one of the most romantic was in the case of Maria of Aragon, consort of Otho III, and the Messalina of her time. It is related of her, that she generally went abroad with a youth disguised in female attire, who was afterwards buried alive. Having become desperately enamoured of a count of Modena, who rejected her addresses, she accused him with having attempted to seduce her. The count was allowed to prove his innocence by the trial of battle; but, having been vanquished, was sentenced to lose his head. Prior to his execution he acquainted his wife with the particulars of his

unfortunate case, and enjoined her to avenge his death. She, faithful to his last request, took the bloody head, and, placing it under the cloak of one of her followers, proceeded to the court; then, presenting the gory head to the sovereign, she demanded justice. Otho, struck with horror at the appalling sight, asked her what she wanted, and of whom she had to complain. "Of you, Cæsar," was her reply; "you behold the result of a most iniquitous deed, and I am ready to submit myself to the ordeal of fire, to prove the innocence of my unfortunate husband." The Emperor consented, and a brazier with a red-hot iron bar was brought forward. The tradition states that the countess seized the iron without dismay or injury; when, addressing the Emperor, she demanded *his* head, since he had been found guilty of the death of an innocent man. The prince, however, as might be expected, demurred at this proposal, but ordered his guilty wife to be burned alive; a sentence that was carried into execution at Modena, in 998. The Empress of Henry II, the beautiful Cunegonde, was equally fortunate in handling red-hot bars of iron when accused of having been criminally connected with the devil, who was seen coming out of her bedchamber every morning. Baronius, in his Ecclesiastic Annals, asserts that she handled the burning metal like a nosegay. Gunehilde, wife of

Henry III, and daughter of our Canute, was also very lucky in the choice of a champion when basely accused of infidelity. Her accuser was a gigantic man of the name of Rodinger; but she selected for her defender a little boy, whom she had brought from England, and who miraculously cut the hamstrings of his colossal antagonist.

Amongst the curious records of these barbarous and fabulous times, an edict of Frederick II. forbade his nobles from fighting, plundering travellers, and circulating base coin, which had been considered a privilege of feodality; and in his Sicilian and Neapolitan constitution he exempted his subjects from the necessity of accepting a challenge.

In more modern times, various enactments, called *duell mandates*, have forbidden duels. In 1779, one was issued in Bavaria, which punished a challenge with the loss of office, if the parties held a public situation; if otherwise, with a confiscation of property, and an imprisonment of three years: but, when a duel had actually taken place, the parties were condemned to death.

In the Austrian states, by an edict of 1803, a duel is punished by an imprisonment of from one year to five: if one of the parties is wounded, the confinement is from five to ten years; and, when death ensues, from ten to twenty; and the remains of the deceased are not allowed

sepulture in consecrated ground. The seconds are also subject to an incarceration of from one to five years. A penal code somewhat similar exists in Prussia.

An anecdote is related of Joseph II, who, having been informed that one of his officers had slapped the face of another, sent for both parties. The following day, on parade, the Emperor appeared on the balcony of his palace with the offended person, whom he cordially embraced; at the same time, a scaffold was erected, on which the public executioner slapped the face of the offender, who was afterwards conveyed to a fortress.

The following letter from this monarch, exhibits the sentiments he entertained on the practice of duelling.

"General,

"I desire you to arrest Count K—— and Captain W—— immediately. The count is of an imperious character, proud of his birth, and full of false ideas of honour. Captain W——, who is an old soldier, thinks of settling everything by the sword or the pistol. He has done wrong in accepting a challenge from the count. I will not suffer the practice of duelling in my army; and I despise the arguments of those who seek to justify it. I have a high esteem for officers who expose themselves courageously to the enemy, and who, on all occasions, show them-

selves intrepid, valiant, and determined in attack as well as in defence. The indifference with which they face death is honourable to themselves and useful to their country; but there are men ready to sacrifice everything to a spirit of revenge and hatred. I despise them. Such men, in my opinion, are worse than the Roman gladiators. Let a council of war be summoned to try these two officers, with all the impartiality which I demand from every judge; and let the most culpable of the two be made an example by the rigour of the law. I am resolved that this barbarous custom, which is worthy of the age of Tamerlane and Bajazet, and which is so often fatal to the peace of families, shall be punished and suppressed, though it should cost me half my officers. There will be still left men who can unite bravery with the duties of faithful subjects. I wish for none who do not respect the laws of the country. "JOSEPH."

"Vienna, August 1771."

It is related of Charles XII. of Sweden, that, riding out one day, he left his attendants at some distance; and, coming to a gate, opened it, but neglected to shut it again, according to the laws of the country. The owner of the land, who was an ensign in the army, came up, and, not knowing the King, inquired why he did not shut the gate after him,

according to the royal decree; and, as he passed, made use of some uncivil expressions. "Why do you not go and shut the gate yourself?" said the King. This so enraged the gentleman, that he seized the bridle and stopped the horse. On this, Charles put his hand on his sword, but the other snatched it from him. The King then drew out a pistol, and threatened to make him repent his conduct unless he immediately returned the sword. "You would not be so valiant," said the officer, "if I also was provided with a pistol." "Then go and fetch one," said the King. The gentleman immediately went for a pistol, while Charles waited his return; but, as he was coming back, he saw the King's attendants at a little distance, which giving him some suspicion, he made his retreat.

The ensign acquainted his commanding officer with the circumstance, requesting his interference. A review soon after took place; and, the King observing that this officer was not present, asked the colonel where he was, when he was told that he was upon guard. "Let him be sent for," said the King. The ensign was brought forward. Charles immediately galloped up to him; then, looking him steadfastly in the face, named him a first lieutenant, and ordered that a grant of money should be given to him.

The enactments against duelling in the Ger-

man armies place officers in as difficult a situation as in our service. If they allow themselves to be insulted without resenting the injury, they are expelled from their regiment; yet are they punished if they demand satisfaction from the offender: and Dr. Gans of Berlin very justly observes, "Duelling amongst officers is very rare, for their position is most embarrassing. If an officer, whose honour has been impeached, does not fight, he is expelled; and, if he fights, he is shut up in a fortress." Montesquieu, in his *Lettres Persannes*, has the following judicious remark: "If you follow the laws of honour," writes Usbeck, "you die on a scaffold; and, if you follow the dictates of justice, you are banished from society. Thus you have no alternative but that of forfeiting life or being unworthy of living."

If duels are rare among German officers, they are most common amongst their students or *Burschen*, whose ridiculous meetings have often been described by travellers. The parties who it is thought necessary should fight usually meet at an inn near their university; they are covered with a thick leather armour that protects them, and their face is the principal vulnerable part. The arm they use is the long German sword, and the shell of its hilt is an additional protection to the combatants.

The students at Jena use a sword called *Schla-*

gen, the blade of which is three feet and a half long, and triangular like a bayonet; the handle is protected by a tin plate, ten inches in diameter, which has been jocosely called *the soup-plate of honour:* this handle, soup-plate, and blade, can all be unscrewed and concealed, the hilt and guard under a cloak, and the blade sheathed in a walking-stick.

By the rules of some universities, called their *Comment*, the nature of the offence requires a certain number of cuts; twenty-four for the appellation of *dummer Junge*, or stupid youth, and as many for the epithet *infamous*. The pistol is scarcely ever selected as a weapon. When perchance a student has killed another, he is advised to quit the university, receiving from the senate what is called a *consilium abeundi*. This expulsion is called a *relegatio*, and is published in Latin. In these cases the offender enters another college. At Gottingen the students were long overawed by a ruffian of the name of Luderf, of great personal strength, and who not unfrequently lopped off arms and hands with his Teutonic glaive.

In 1833, the corpse of a Lieutenant-colonel de Keunaw was found in a forest near Dreisen, pierced with a sword-wound and weltering in blood. It appeared, upon inquiry, that a councillor of the name of Von Zahn had asked in marriage the daughter of a Baron Haller, who at the same

time was courted by a Baron Linsmar, a friend of Von Zahn, who, to rid himself of his rival, had recourse to the most diabolical stratagem. He was on terms of intimacy with De Keunaw, who was considered a most dexterous swordsman, whereas Linsmar was totally unacquainted with the use of the weapon. Von Zahn, therefore, exerted himself to foment discord between them, until at last their constant dissensions led to a duel. Von Zahn insisting upon being the second to his *friend*, a meeting took place; when, by one of those chances in arms, the inexperienced combatant killed his expert antagonist. Von Zahn was brought to trial and condemned to death, and Baron Linsmar to ten years' imprisonment. The sentence of the former, however, was commuted into twenty years' confinement.

In 1834 the German papers gave an account of a duel of a most romantic nature:—"A Baron Trautmansdorf was paying courtship to the widow of a Polish general, the young Countess Lodoiska R——; he only awaited an appointment to an embassy to marry her. In the mean time a Baron de Ropp courted the lady, and in a sonnet turned his more successful rival into ridicule. The baron immediately sent him a message, which Ropp accepted; but on the ground proposed a champion, who espoused his cause, when Trautmansdorf fell. His second, indignant at this act of treachery, insisted that Ropp

should give him satisfaction. The second was also mortally wounded, when it was found out that Lodoiska herself had accompanied her betrothed in male attire. Ropp, having recognised her when she fell, felt so deeply the turpitude of his conduct, that he threw himself on his own sword, and expired near the bodies of Lodoiska and her lover."

Duels are so very rare in Germany, that a hostile meeting that took place at Frankfort in 1834 between two officers, and which proved fatal to one of them, was considered a remarkable event; and all Vienna was astonished when a noble German sent a challenge to Baron Rothschild for having refused to lend him money.

Madame de Staël's observations on duelling in Germany are worthy of remark: — "Germany, if we except some courts anxious to imitate the manners of the French, was never assailed by that infatuation, immorality, and incredulity, which, since the regency, had changed the natural character of the French. Feudality still maintained in Germany some of its chivalric maxims: duels occasionally took place, but they were not so frequent as in France; for the Germans do not possess the same vivacity and petulance as the French nation, nor do they partake of the same notions of courage, public opinion being much more severe on the want of probity and fair dealing. If a man had transgressed the

laws of morality, ten duels a day would not have enabled him to recover the esteem he had forfeited. In France we constantly see persons of distinguished rank, who, when accused of an improper action, will say, "It may have been wrong, but no one will dare assert it to my face!" Such an expression is an evident proof of confirmed depravity; for what would be the condition of society, if it was only requisite to kill one another, to commit with impunity every evil action,—to break one's word and assert a falsehood, provided no one dared tell you that you had lied?

"The spirit of chivalry still reigns amongst the Germans,—but passively. They are incapable of deceit, and in every transaction act with loyalty; but that energy which exposed man to so many sacrifices, which exacted from woman so many virtues,—the chivalric spirit of olden times,—has only left feeble traces in Germany, where noble actions will only be the result of that liberal impulse which in Europe has succeeded chivalry."

Chateaubriand pays a similar compliment to the German people:—"I love Germany; I admire its domestic virtues and its hospitable manners; its poetic and religious sentiments, and its love for science. Amongst the Germans we feel that invincible power that conceals the *positiveness* of the world and the *prosaism* of life."

In Russia duels very rarely took place, a circumstance which in a great measure may be

attributed to the ferocity of their princes, who not only saw the penal laws executed, but not unfrequently acted themselves as executioners: a fact illustrated by Peter I, who gave the signal for the judicial massacre of the revolted Strelitz, his Pretorian guards, by seizing an axe, and striking off the heads of a hundred of his victims. The gross and brutal conduct of the Russian autocrat towards women was imitated by his court and the people; and it can scarcely be expected that a nice sense of honour can prevail in the minds of men who only punished infidelity by a bastinade inflicted on both the offending parties, and who usually testified their affection by submitting the object of their love to the *knout*, — indeed, the fair sex of Muscovy considered this infliction as a gallantry on the part of their husbands; nor could their sense of delicacy be very acute, when we find their Empress kneeling at the shrine of the Virgin and St. Nicholas, to ask from what company of her guards she was to select her favourite paramour.

The Russian laws against duelling were most severe. In the military penal code of Peter I. it was ordered, that whoever provoked another to fight a duel should be hanged, whether the duel took place or not; that the seconds should suffer the same punishment, unless they exerted themselves to prevent the meeting. That in the case of any dispute, or blow being given, the aggressor

was to ask pardon of the offended party in presence of the military tribunal; and that whoever should slap another's face was to submit to a public retaliation. In the code of Catherine we find, in the 234th article, the following view of the subject:—"As to duelling, the best mode of preventing it is to punish the aggressor, and to declare the innocence of the man who, without any fault of his own, has found himself under the necessity of avenging his honour." We also find in an ukase of Catherine the following enactment:—

"Whoever insults or strikes a citizen with an *unarmed hand*, shall forfeit the amount of whatever yearly tax the citizen pays to the state. Whoever insults or injures the wife or the daughter of a citizen, shall pay double the amount for the wife, and four times the amount for the daughter, of the annual tax the father or husband pays to the state."

It was, however, no uncommon practice on the part of the Czars to strike their officers and attendants. Peter the Great would cane any person, whatever might have been his rank, who had offended him. Indeed, a blow from an imperial hand was considered an honour: though this was not the case with a French architect, of the name of Le Blond, who, after a caning, took it so much to heart, that he fell ill of a fever and died.

It appears that no *prestige* of rank could screen Russian ladies from the brutal treatment of their husbands and lovers; and the Empress Catherine herself was frequently horsewhipped by Gregory Orloff, the most favoured of the five brothers of that name who shared her smiles. No duels arose among her numerous lovers. Potemkin, playing one day at billiards with Alexis Orloff, a brother-favourite, had some difference, when Orloff struck him on the eye with a cue: the parties were separated; but Alexis complained to his brother Gregory, then the greater favourite, who insisted that Potemkin should be immediately exiled, a request that the Empress did not dare refuse; and Potemkin, who had lost an eye in the affray, was banished to Smolensko. He was recalled, however, a year afterwards, and he soon avenged himself by banishing his former rival, whom he succeeded; and shortly after, he ceded her charms to another lover of the name of Lanskoi. Orloff travelled, married, and visited the court of France, which he publicly insulted by going to a levee in a common undress suit of clothes; an offence which was not resented by Choiseul, the French minister. Orloff's wife soon after died, when he returned to St. Petersburgh on the very night that the Empress was giving a ball in the palace of Tzarco-zelo. He repaired to the festive hall in deep mourning, and made up to

Catherine, who was leaning on the arm of her favourite Lanskoi, when he exclaimed with a ferocious look, "So, Kalinga, you are still fond of dancing;—will you waltz with me? You hesitate: does my dress alarm you? Do you know," he added in a dismal tone of voice, "do you know that my wife is dead? do you know it? and, if you knew it, how did you dare to give this entertainment?" and, thus saying, he seized a chair and dashed it to pieces. Lanskoi wanted to rush upon the ruffian, but Catherine forcibly held him back, and assured Orloff that she was not aware of his wife's death; when he continued, "Yes, she is dead, and I am alive! I am miserable, Kalinga! for I loved my wife dearly!" and, so saying, he burst into tears; when, suddenly casting his eyes upon Lanskoi, he exclaimed, "So, this is the young new-comer! Ha! you are very young, my boy! poor blind buzzard, to be caught in such a snare!" Again Lanskoi wanted to have recourse to force to expel the bold intruder, who threatened to throw him out of the window if he stirred one step; while Catherine exclaimed in agony, "He is mad! he is mad!" "Yes, I am mad!" replied the ruffian with a bitter laugh; "but who maddened me?—was it not thou, Kalinga? was it not for thee that I became a regicide, an assassin? and now, woman, you tell me I am mad!" So saying, he raised his hand to strike her; but Catherine

swooned on a sofa, and Orloff stalked out of the ball-room unmolested. No punishment was inflicted on him for this audacious conduct; on the contrary, he frequently attended the court, until he died of a brain-fever in 1785. Lanskoi soon followed him to the grave; when Potemkin sought to assuage the despair of Catherine by privately marrying her, receiving as a marriage portion a palace worth 600,000 roubles, a coat embroidered with diamonds worth 200,000 roubles, and 200,000 peasants! Such was the wealth lavished on this favourite, that he died worth 300,000,000 francs!—Could duels, or any feeling of honour, be known in such a court?

However, at a later period, under Alexander I, who entertained some chivalric notions and a faint idea of honour, duels came into fashion. A singular manner of settling a quarrel was instanced in the case of an old general officer of the name of Zass, who, having received from Prince Dolgoroucki an order which would have defeated his plan of operations, refused to obey him. High words ensued, and a challenge was forwarded. At that moment the Swedish artillery was heard, and intelligence was brought that the enemy were attacking a redoubt. "Prince," said the general, "we cannot fight a duel when our duty calls us to meet the enemy; but let us both stand in an embrasure of that battery, against which the enemy are directing their fire,

and let us remain there until one of us is struck." Dolgoroucki accepted the proposal. They both exposed themselves to the enemy's fire, standing erect with one hand on the hip, and looking fiercely at each other, until the prince was cut in two by a cannon-ball; this desperate resolve being witnessed by the whole army.

A conflict no less singular occurred in the case of one of the most celebrated Russian duellists, a Count de Tolstoy, who, having quarrelled with a naval officer, sent him a message, which was declined on the plea of the count's dexterity in the use of arms. Tolstoy then proposed that they should fight with pistols muzzle to muzzle; but this also the sailor declined, and insisted upon fighting according to what he called a naval manner, which was, to seize each other and jump into the water, the victory being awarded to the party that escaped drowning. The count in his turn objected to the proposal, on the plea that he could not swim, on which his adversary accused him of cowardice; when he rushed upon him, seized him, and threw himself with him into the sea. However, they were both drawn out of the water; but the naval officer was so much injured, that he died a few days after.

In the annals of Poland judicial combats were not unfrequent, and were similar to those resorted to in other countries; and we find the wife of a grand duke of Lithuania accused of

an adulterous intercourse, when twelve champions presented themselves to defend her cause. The proposal was objected to, and the law of the land, which was somewhat singular, prevailed. The accuser was condemned to place himself on all fours, like a quadruped, under a bench, and then to *unbark* his assertion, by publicly declaring that he *had lied like a dog*.

The jocularity of the Poles appears to have been occasionally of a very rough nature. It is related of an Italian nobleman, that, being invited by Prince Zboruski to his castle, he was made the butt of the company, who one day proceeded to strip him; and, after smearing him all over with honey, introduced him to some tame bears, who, licking off the honey with their rough tongues, did not produce a very agreeable sensation. The offended Italian wanted to depart, but the prince had ordered the wheels of his carriage to be taken off. He contrived, however, to effect his escape, and sent a challenge to Zboruski, accompanied with a copy of his genealogy, to prove that he could not refuse to meet him on the plea of a disparity of rank. But the Pole thought otherwise, and declined the honour.

Since the misfortunes of the Poles, duelling has frequently taken place amongst these exiles; and Lelewel observes on this subject, "that emigrants fight from idleness, and that condi-

tion of suffering and demoralization which renders every feeling susceptible of the slightest offence." During the generous struggle of this unhappy people with their ferocious oppressors, a conflict of a most desperate nature took place between a Polish and a Russian officer near Warsaw; the following are the particulars:—A young Polish officer, who had served under Napoleon in his Guards, had paid his addresses to a young lady of Warsaw, who was carried off by a Russian officer; he offered his hand in vain to his victim, who scorned his proposal with indignation: the retreat of the Russian was discovered; a challenge was sent and accepted. The ground was fixed in a wood four leagues from the city; and, after measuring eight paces, swords marked the distance. The combatants were armed with pistols, and were to advance upon each other, and fire at will; the Russian fired first, and wounded his antagonist in the breast, when the Pole exclaimed, "Come on, wretch, and receive your death,—I still possess sufficient strength and life to deprive thee of thine;" but the Russian mounted his horse and galloped off. His seconds, indignant at such cowardly behaviour, bade the friends of the wounded Pole pursue him, and give him up to them as a disloyal dastard. They rode after him, and cutting him down, brought him to an inn where the Pole had been also borne: upon seeing his wounded

antagonist, the Pole collected the little strength that remained in him, and, seizing his sword, staggered towards his rival, ran him through the body, and expired. The Russian officer recovered from his wounds, and the young lady was restored to her family.

CHAPTER XX.

DUELS IN BELGIUM AND HOLLAND.

Although these two countries, both in a religious and political point of view, may be considered most distinct, and nothing but the blindest policy could ever have entertained the notion of uniting *res dissociabiles*, their close and frequent connexion generally unites their historical annals.

Belgium was the cradle of the monarchy of the Franks: Tournay was one of the first conquests of Clodion over the Romans; in 1653, the tomb of Childeric was discovered; and Aix-la-Chapelle was the capital of Charlemagne. The customs of the Franks were, therefore, prevalent in their several provinces, and trials by battle, ordeals, and the many barbarous modes of settling differences and establishing rights which we have recorded of France and other countries were resorted to in cases where the judgement of God was appealed to. These appeals must have been frequent amongst these turbulent people, who were incessantly embroiled

in foreign or intestine wars to such an extent, that it is related of one of the sultans, who, hearing of their endless contests, asked to see the map of the theatre of war; that, amazed at its narrow limits, he exclaimed, "Were I concerned in this affair, I should send my pioneers to cast this little corner of the world into the sea."

The inhabitants of the Low Countries were ever remarkable for their impatience of control, and their anxiety to preserve their rights and immunities untouched; they were faithful to their antique customs and prejudices, and zealous defenders of what they considered their independence and liberties; and, to their credit, it must be said, that both the aristocracy and the democracy of the land united their efforts in the common cause of their country; while the clergy, all powerful and influential, exercised a mighty power over a bigoted and superstitious people, who, even to the present day, are more imbued with religious prejudices than the inhabitants of any other Roman Catholic realm.

To this hour, the Belgians firmly believe in the traditionary legend of the Abbey of Cambrai, and the duel between Jean le Flamand and a Jew. The Virgin of Cambrai having appeared in a vision to Jean le Flamand, an old carpenter, and complained of the injury done to her image by the impious Israelite, who had

falsely pretended to abjure his faith, our worthy immediately repaired to the chapel, and beheld the image of the Virgin with five wounds of a lance, from each of which the blood was flowing. The Jew, named Wilhelm, was immediately apprehended and tortured, but no avowal could be extorted from him by the most ingenious torments. Jean le Flamand thereupon begged to consult the Abbé of Cambrai, who told him that the Virgin commanded him to call out the Hebrew to a single combat, to knock out his brains, and then cut off his empty head. The battle took place with shield and stave, when the Jew, who was a powerful youth, was thoroughly thrashed,—*Divinâ cooperante gratiâ;* after which he was duly hanged between two dogs, according to custom. Why the poor dogs were hanged with the unbeliever, history does not state.

A celebrated combat that took place at Valenciennes in 1455 has been recorded by many historians. This battle was fought in maintenance of an ancient franchise, which provided that any man who killed another in self-defence, might claim a franchise at Valenciennes, and maintain with staff and shield that the contest had been fair. In this instance, a tailor, named Mahuot Cocquel, sought refuge in this town, after having killed a citizen of Tournay, one Philippe du Gardin, who had had the im-

pertinence to refuse him his daughter. A relation of the deceased, Jacotin Plouvier, followed the tailor, and accused him of having feloniously killed Du Gardin. The two champions were forthwith put in prison; and a Breton (Britanny being renowned for its skill in cudgelling) was attached to each of the parties, to teach them the use of the staff.

On the 20th of May, the field being appointed, the Duke of Burgundy, and his son the Duke de Charolais, attended by a numerous court, proceeded to the spot. A triple barrier had been raised in the market-place, and the ground was deeply covered with sand; the space between the second and third barrier was appropriated to the accommodation of the *prevost*, the jurymen, and several of the nobility; and the third row was for the reception of three hundred knights, their squires, and the wealthy burghers.

At nine o'clock in the morning, the champions appeared. Their heads had been shaved, and they wore tight leather doublets. Jacotin, the appellant, first appeared, accompanied by his *Breton*, and followed by a man carrying his target in a sack. After crossing himself several times, he sat down on a chair covered with black cloth; Mahuot Cocquel followed with a similar train, and, falling on his knees, crossed himself with great devotion, kissed the ground, and

then seated himself on another stool covered with black.

The magistrates then proceeded to swear the champions on the holy Evangelists. Jacotin kissed the book, and swore that his cause was a just one; Mahuot did the same, and added, that Jacotin was a false and villanous liar; but, on kissing the book a second time, it was observed that he turned pale.

The parties were then smeared with grease from head to foot, to prevent their being easily grasped, and their hands were rubbed with ashes, that their staves might be more securely held. Food was then presented them on two silver salvers; and, to show them that it was not poisonous, the bearers of the collation themselves tasted it. A lump of sugar was then put into their mouths, that they might not become parched, and they were then armed with two knotty cudgels of equal length, and bucklers painted red; but they were obliged to bear the shield with its point uppermost, to show that they were not of noble birth.

The *prevost* of the town now exclaimed in a loud and audible voice, "Do your duty!" and the combatants rushed upon each other. Mahuot commenced the attack by throwing sand in his adversary's eyes, and then broke his head with his staff; but Jacotin attacked his antagonist in his

turn, knocked his buckler off, and then knocked him down; Mahuot rose to be knocked down again, while Jacotin was rubbing sand in his eyes, biting his ears, and pommelling his face. The Duke of Burgundy, Philippe le Bon, felt compassion for the battered Mahuot, and sent one of his officers to the magistrates, to know if it were not possible to save the life of the unfortunate man; but they replied, that the privileges of their town must be maintained. In the mean time, Jacotin was pursuing his delectable occupation, cramming sand in his opponent's mouth, biting and scratching him, and then turning him upon his face; in which exploit, however, Mahuot contrived to bite off one of his fingers: a mutilation that so incensed the conqueror, that, according to the chronicler, he broke his arm and his loins, and then jumping upon him, roared out, "Surrender, traitor, and confess the fact, that thou didst murder my poor relation!" to which Mahuot replied, "I confess it! I confess it!" "Speak louder, that thou mayest be heard!" roared out Jacotin. "I did it! I did it!" cried Mahuot; "and oh! my Lord Duke of Burgundy," he added, "I served you faithfully in your wars of Ghent, — oh! my good lord, I pray for mercy! — for God's sake, save my life!"

Again the duke sent to the burgomasters; but they remained inflexible, sticking to their *fueros*.

They even maintained that the deceased should not be allowed a Christian burial; and then Jacotin despatched his victim with four desperate blows on the head; after which, he dragged him off the ground by the legs; but Mahuot was not quite dead, for he was able to recite his creed, confess his sins to a Carmelite, and drink several glasses of wine, before he yielded up the ghost.

The magistrates then ascended the bench, and ordered that, according to their sacred municipal privileges, the vanquished should be hanged and strangled as a murderer, which was forthwith done by the executioner. The conqueror then went up to the burgomaster, and asked him, if he had properly done his duty: to which it was replied in the affimative; and he was informed, that he was free to go wherever he thought proper. He of course proceeded to the chapel of *Notre Dame la Grande*, to present an offering, and return thanksgivings for her protection. The staves, bucklers, and stools of the combatants were then suspended as trophies in the town-hall.

Amongst the many ferocious combats of these barbarous times may be noticed the duel between Arnold d'Egmont and Adolphus, his son, who was encouraged in his unnatural conduct by his mother, Catherine de Cleves.

Numerous edicts and placards were promul-

gated at various periods to check the progress of duelling in the Low Countries, but with as little success as in France. Of late years, these hostile meetings have become very rare, and are chiefly confined to the military; although, after the revolution of 1833, duels arose in consequence of the stormy discussions that took place in the chambers. In June 1833, two deputies, Messrs. Rogier and Gendebien, fought with pistols at a distance of forty paces, being allowed to advance ten paces on each other. Rogier fired first, but missed his opponent, who, firing in his turn, at a distance of thirty-five paces, shot his antagonist in the mouth. M. Gendebien was afterwards called out by a French general officer, to apologise for his objection to the employment of foreigners in the Belgian army; but the deputy very wisely refused to meet him, on the score of parliamentary freedom of speech.

In 1834, when Brussels was in a state of great anarchy and confusion, duels were not unfrequent; a man was assassinated in coming out of the playhouse for having declined a challenge; and the minister assured the chamber, that he would adopt the most energetic means to repress these excesses. Notwithstanding the prohibitory laws, several fatal meetings took place without any judicial punishment. A captain of artillery, named Pariset, had reprimanded

a M. Vanderstraeten, one of his lieutenants, for not having saluted him, observing, that "he was but a boy." The lieutenant called out his captain, who declined the meeting; when another captain, of the name of Eenens, took up the quarrel, and obliged Pariset to give him satisfaction, by calling him a coward. The meeting took place in a pine-wood near Waterloo, when Pariset was killed at the first fire. The survivor was tried by a court-martial, but acquitted on the plea that there did not exist any law to punish duelling. More recently, at Luxemburg, a duel was fought between a Baron de Tornaco and a Dutch captain, when the latter was shot dead; but no judicial inquiry followed.

The government of Belgium are at this moment preparing a law for the utter prohibition of this practice, which hitherto has been rarely visited with severity. In the Belgian army, as well as in that of France, duelling, even between officers of great disparity of rank, is only punished by cashiering the offender, as appears in the following order of the day of the minister of war, Count Maison, in 1835:—

"In breach of all subordination, a lieutenant-colonel has presumed to challenge his superior officer. Such a serious transgression, which might prove most injurious to the discipline of the corps, demands a prompt and severe punishment. The minister, therefore, orders, that the lieu-

tenant-colonel shall be forthwith brought before a court-martial. In regard to the superior officer, who might and ought to have exercised the authority which his rank conferred on him, but who condescended to accept the challenge, he is cashiered. The seconds and the other officers who were present at, or who did not prevent the meeting, shall be placed under close arrest for a fortnight."

CHAPTER XXI.

DUELS IN THE UNITED STATES.

To record the duels that have taken place in the United States of America would require a ponderous work. They not only have been very frequent, but in general marked with a character of reckless ferocity, that clearly shows the very slow progress of civilization in that rising country, where we have every reason to expect and to hope that at some future period the practice of duelling will fall into as much disrepute as in more polished regions.

This young country, notwithstanding its constant commercial and political relations with the European powers and the mother-land, is but little known; indeed, a knowledge of the customs, habits, and ideas of its inhabitants, must be difficult to obtain, from their territorial divisions, the great extent of their provinces, and the difference of the institutions that rule their several states: in the one, an offence is considered a heinous crime, which in another is deemed a mere misdemeanor, an anomaly in legislation which

must arise from the variety of their commercial and agricultural interests. It is, moreover, to be deeply lamented that most travellers who have described their manners, after a mere hasty glance at the state of their society, started on the tour of inquiry fully determined to find fault, and possibly to speculate ultimately on national prejudices, as their works have become more or less popular according to the ridicule they have attached to American society, or the denunciation of its hostility towards England. On the other hand, other travellers have launched forth into lavish and enthusiastic praise, even of their vices and errors; and France has not been backward in sending to the States demagogues and visionaries, who consider them the seat of liberty and independence.

That duels should be frequent in a new settlement is naturally to be expected, more especially when the settlers are rude and uneducated; the distance between their dwellings, the wildness of the forest, and the difficulty, if not the impossibility, of having recourse to legal and competent judicial authorities to settle their endless differences, must induce them to take the law into their own hands, and arrange matters with sword, pistol, rifle, or bowie-knife; or, if weapons were not at hand, by the most ferocious pugilistic contests, partaking of the savage yet honourable boxing of their fathers, and the fe-

rocious refinement of their Indian neighbours. Thus, wherever a colonist *squatted*, he became the sole guardian and protector of his log-house and property.

The influence of example, which the conduct of the upper classes exercises on the lower orders, is sometimes reversed, and the false notions of right and honour, entertained by the vulgar, are too frequently adopted by their superiors, who from political purposes are anxious to court that popularity which a display of what is misnamed courage is sure to obtain among a rude people, who are unwilling, from false notions of pride, to raise themselves to the level of the civilization of their mother country. Fortunately, this absurd prejudice is gradually losing ground, although, if we may form an opinion by the public press, the bombastic style and the silly bragging of their writers will tend to retard most materially this desirable progress. The absurd fancy of seeking to alter the language of their ancestors, is a convincing proof of the folly of such pretensions to superiority, which a few accidental successes in war have carried to a pitch absolutely ridiculous. It is not easy for their legislators and their temporary rulers to oppose this bubbling and frothy torrent of popular vanity; nor indeed dare they stem its dangerous tide, which wafts them to power: and thus are they often under the painful necessity of appearing to sanction

excesses which they sincerely condemn, and to use a style of exaggeration suited to the morbid temperament of their constituents. With us the degradation of the hustings is an occasional occurrence; in America every public man is hourly polling. There is a state of feverish anxiety perpetually raging, and duelling must be the inevitable result of such a fermentation, and will continue to prevail so long as brute force is considered a qualification.

Several of the states, however, have endeavoured to check the practice: that of Massachusets framed a law for that purpose in 1719, which was revived in 1784, and subsequently in 1805; by this enactment, any person fighting a duel was deprived of his political rights, and rendered ineligible to any public situation for twenty years, and the body of the deceased, when the meeting proved fatal, was appropriated to anatomical demonstration. Similar laws have been promulgated in Tenessee, New York, and other states. In Virginia public officers were called upon to take an oath never to fight a duel upon entering on their functions, and after this resolution duels became very rare. In New Orleans, the papers of 1834, and several recent publications, proposed the establishment of a court of honour, to decide upon any differences that might arise amongst its citizens; and in 1831 Mr. Livingston published his views on this im-

portant subject, relative to which a French writer, Dupont de Nemours, speaks in the following terms: —

"The diversity of political opinion has rendered duelling very frequent in the United States. Some years ago, General Hamilton, a man of the most distinguished merit, and who had been minister of finance, was slain in a duel by Colonel Burr, and two years before that fatal event, the eldest son of the general had lost his life in a similar manner.

"Most of the states have denounced a sentence of death against those duellists who have killed their adversaries. But this penalty is only comminatory, since it is eluded by the parties repairing to a neighbouring province, of which they are not citizens, and which has not the power to take cognizance of their offences; the laws on this head not extending to the whole country, but being limited to each of the eighteen confederate states.

"Moreover, European experience has evidently shown that death does not intimidate those who fight, because they either brave it, or wish to show that they do not fear its terrors.

"The habits of the Virginians disposed them to duelling more than any other of the Americans, and the extent of the country rendered it more difficult to seek the protection of a neighbouring state; for when people are determined

to fight, they are in general impatient. The legislature of Virginia has therefore sought to obtain its object by a less severe penalty, which from that very reason was more likely to prove efficacious. They considered that when in frivolous matters, or in differences of opinion which the law tolerates and even authorizes, a man is induced to expose himself to death or to slay another, he is actually demented, and that, therefore, all principals and seconds in a duel should be considered labouring under an alienation of mind, and deprived of any public station that they might hold; that their property, moreover, should be vested in the hands of trustees, and in fact be considered as labouring under an interdiction. Since this enactment, duels in the state of Virginia have been rarely heard of."

The first notorious duel that was fought in America was in the year 1630, when a challenge to single combat with sword and dagger, passed between Edward Doty and Edward Leister, servants of a Mr. Hopkins. Both were wounded, the one in the hand, and the other in the thigh. As it was deemed expedient to repress such affairs, the parties were condemned to have their hands and feet tied together, and to lie in that condition for twenty-four hours, without either meat or drink. This punishment was begun to be inflicted, but in an hour the pain they endured was so severe, that, at their own suppli-

cation and their master's request, Governor Bradford liberated them on their promise of future good behaviour.

The correspondence that arose between General Wilkinson and Mr. Randolph, a senator, is somewhat curious. The former had observed, that he had learnt that Mr. Randolph had called him a rogue: to this the Honourable John Randolph replied, "In you, Sir, I can recognize no right to hold me accountable for my public or private opinion of your character, that would not subject me to an equal claim from Colonel Burr and Sergeant Dunbaugh. I cannot descend to your level. This is my final answer." Upon this concise reply, the General wrote the following letter to the senator :—

"SIR,

"I have received your letter of the 25th instant, by mail, in which you violate truth and honour, to indulge the inherent malignity and rancour of your soul. On what 'level,' pray Sir, shall we find the wretch who, to mark his cowardice, fabricates falsehoods, and heaps unprovoked insults upon unmerited injuries? *You* 'cannot descend to my level,'—vain, equivocal thing! And you believe this dastardly subterfuge will avail you, or that your lion's skin will longer conceal your true character? Embrace the alternative still within your reach, and

ascend to the 'level' of a gentleman, if possible; act like a man if you can, and spare me the pain of publishing you to the world for an insolent, slanderous, and prevaricating poltroon.

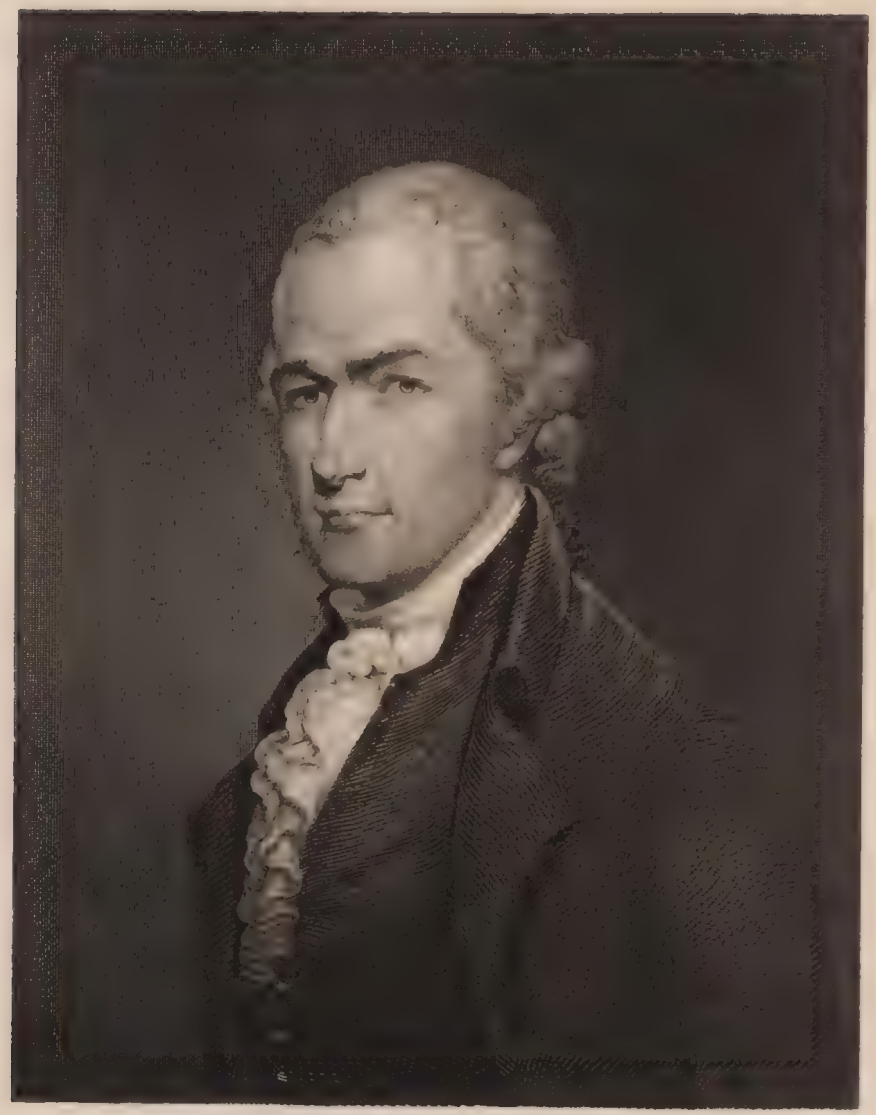
"JAMES WILKINSON."

There is a *N.B.* by way of postscript, to tell the senator that "the sacred respect due to the station he occupied in the councils of the nation, alone protected him from the chastisement of his cane."

The General kept his word, and when Congress was assembled, the following notice was stuck up in the corners of the streets and in all the taverns:—

"*Hector unmasked.*—In justice to my character, I denounce to the world John Randolph, Member of Congress, a prevaricating, base, calumniating scoundrel, poltroon, and coward."

At the time of the French Revolution two celebrated French duellists were residing in Philadelphia, Louis de Noailles and Alexandre de Tilly. The Viscount de Noailles was admitted into the family of a Mr. Bingham, one of the wealthiest merchants of Pennsylvania, and a senator. He soon after introduced the Count de Tilly, who was much liked by Mrs. and Miss Maria Matilda Bingham, an only daughter. The experienced seducer soon persuaded the young lady, who was not yet of age, to marry him privately, and they



A. Hamilton

were secretly united in 1799, by a clergyman whom they had bribed.

This marriage threw the family into a state of consternation. The mother died heart-broken, Mr. Bingham only survived her a few years; and a Mr. Barry thought it proper to chastise the Frenchman, who was, however, induced to leave the United States on the following conditions: — Five thousand pounds ready money to pay his debts, — an annual allowance of five hundred pounds, — and an acknowledgment on the part of Mr. Barry, either in writing or by a verbal communication through the Count de Noailles, that he merely *pushed* against him in a crowd!

In the year 1804, General Hamilton, who had been just appointed ambassador from the United States to Paris, got involved in a political dispute with Colonel Aaron Burr, then vice-president. Dr. Cooper had published a pamphlet, in which he had said "Colonel Hamilton and Dr. Kent say, that they consider Colonel Burr a dangerous man, and one unfit to be trusted with the reins of government." In another place the same writer said, "General Hamilton has expressed of Colonel Burr opinions still more despicable."

The last passage excited the resentment of Colonel Burr, who demanded from General Hamilton "a prompt and unqualified acknowledgment or denial of the expressions which could justify this inference on the part of Dr. Cooper."

General Hamilton admitted the first statement, which he contended was fairly within the bounds prescribed in cases of political animosity, but objected to be called on to retrace every conversation which he had held either publicly or confidentially in the course of fifteen years' opposition. This would not satisfy Burr, who insisted upon satisfaction and a meeting.

On the evening before the duel Hamilton made his will, in which he enclosed a paper, containing his opinion of duelling; and, expressive of the reluctance with which he obeyed a custom so painful to his feelings, he says—

"On my expected interview with Colonel Burr, I think it proper to make some remarks explanatory of my conduct, motives, and views. I was certainly desirous of avoiding this interview, for the most cogent reasons:—

"*First.* — My religious and moral principles are strongly opposed to the practice of duelling, and it would ever give me pain to shed the blood of a fellow creature in a private combat, forbidden by the laws.

"*Secondly.*—My wife and children are extremely dear to me, and my life is of the utmost importance to them, in various points of view.

"*Thirdly.*—I feel a sense of obligation towards my creditors, who, in case of accident to me, by the forced sale of my property, may be in some degree sufferers. I do not think myself at liber-

ty, as a man of probity, lightly to expose them to hazard.

"*Fourthly.* — I am conscious of no ill-will to Colonel Burr, distinct from political opposition, which, as I trust, has proceeded from pure and upright motives.

"*Lastly.*—I shall hazard much and can possibly gain nothing by the issue of the interview."

The parties met, and Colonel Burr's shot took fatal effect. General Hamilton had determined not to return the fire, but, on receiving the shock of the mortal wound, his pistol went off involuntarily in an opposite direction.

Few individuals died more lamented than General Hamilton, whose funeral at New York was observed with unusual respect and ceremony. All the public functionaries attended, and the bells, muffled, tolled during the day. All business was suspended, and the principal inhabitants wore mourning for six weeks. No death, save that of Washington, had filled the republic with such deep and universal regret.

A singular and fatal duel was fought in New York by the late Stephen Price, well-known as the former lessee of Drury Lane theatre. The following is an account of this affair, extracted from the American papers :—

"Benjamin Price was a grocer at Rhinebeck, and was considered the flower of the flock. He was at the theatre one evening with a beautiful

woman, when a British officer, in an adjoining box, took the liberty of turning round and staring her full in the face. She complained to Ben Price, and, on a repetition of the offence, he turned round and seized the nose of the officer full between his finger and thumb, and wrung it most effectually.

"The officer left the box, and soon after a knock was heard at the door of Ben Price's box. Ben opened it, and there stood the officer, whose name was Green, and who asked Ben, what he meant by this behaviour? at the same time remarking, that he had not meant to insult the lady by what he had done. 'Oh! very well,' replied Ben, 'neither did I mean to insult you by what I did.' Upon this they shook hands as sworn brothers; and some time after Mr. Green went to Canada to join his regiment.

"The facts of this affair, however, reached Canada as soon as Mr. Green did, and of course were bruited about. The officers of his regiment, one of whom had a pique against him, caused it to be brought under the notice of his brother officers, one of whom, a Captain Wilson, insisted that Green should be sent to Coventry, unless he went back directly and fought Ben Price. Green, therefore, set to work, and practised for five hours every day, until he could hit a dollar at ten paces nine times out of ten. He then came to New York, and challenged Ben Price.

They fought at Hoboken, and Ben was killed on the first fire. The seconds ran off, and Green took a small boat, crossed the river, and boarded a vessel in the bay just about to sail for England. The body of Ben was found at Hoboken, with a piece of paper attached to his breast, on which were inscribed the following words: — 'This is Benjamin Price, boarding in Veney Street, New York, — take care of him.' The body was brought to the city quietly, and he was buried in New York."

"Some years afterwards, Captain Wilson of the British army, whom we have mentioned above, arrived in this city, from England, on his way to Canada, and put up at the Washington Hotel. One day, at dinner, the conversation turned on the death of Ben Price, and the manner thereof. Captain Wilson remarked that he had been mainly instrumental in bringing about the duel, and detailed the circumstances connected therewith. This statement was carried immediately to Stephen Price, who was lying ill of the gout, at home: his friends say that he henceforth implicitly obeyed the instructions of the physician, obtained thereby a short cessation of the gout, and was enabled to hobble out of doors, his lower extremities swaddled in flannel. His first course was to seek the Washington Hotel, and his first inquiry was, 'Is Captain Wilson within?' — 'He is,' said the waiter. — 'Show me

to his room,' said Stephen, and he was shown accordingly. He hobbled up stairs with great difficulty, cursing at intervals the gout and the captain with equal vehemence. He at last entered the captain's room, his feet cased in mocassins, and his hand grasping a stick. Captain Wilson rose to receive him, when he said, 'Are you Captain Wilson?'—'That is my name,' replied the gallant captain. 'Then, Sir, my name is Stephen Price. You see, Sir, I can scarcely put one foot before the other; I am afflicted with the gout. My object in coming here, is to insult you. Shall I have to knock you down, or will you consider what I have said a sufficient insult, and act accordingly?'—'No, Sir,' replied the captain, smiling, 'I shall consider what you have said quite sufficient, and shall act accordingly. You shall hear from me.'"

"In due time there came a message from the captain to Stephen Price; time, place, and weapons were appointed, and early one morning a barge left New York, in which were seated, face to face, Stephen Price and Captain Wilson and two friends: they all landed at Bedlaw's Island, the principals took their positions, and Captain Wilson fell dead at the first shot. The captain was buried in the vault there, and Price and the two seconds returned to New York; but his friends (Wilson's) thought that he had gone suddenly to Canada, and always

thought that he had died suddenly, or had been killed on his way to England to join his regiment."

It is surprising that in a country where such an event as the death of General Hamilton could be productive of such a general feeling of regret, duels of the most wanton and desperate nature so frequently occur. But a very few years since a furious outbreak of temper was manifested in the state of Louisiana, where a Mr. Labranch, president of the legislative assembly, as he was about taking the chair, was assaulted by a Mr. Grymes, who endeavoured to strike him with a stick, when he drew a pocket pistol and fired at the aggressor, but missed him, and Grymes, in his turn, drew out a horse pistol loaded with ball and slugs, and fired at him. The ball grazed the head of a senator who was seated near the chairman, and who received two slugs in his arm and hand. This occurred in 1835.

The same year a duel took place between a lieutenant of the American Navy, and three passengers in a steam-boat, two of whom were brothers. The parties landed; the lieutenant received a ball in the hip, and one of the brothers fell dead on his fire. The surviving brother sought to avenge him, but also received a mortal wound. The third survivor now insisted upon satisfaction from the lieutenant's second, whom he shot in the breast; he then obliged the lieutenant, although exhausted from loss of blood,

to satisfy him still further, when he mortally wounded him.

Fighting with rifles and muskets, sometimes by beat of drum, is not an uncommon method of settling an American dispute; and frequently, as in the case of their disputes with our officers at Gibraltar, Americans have insisted upon fighting *double-handed*, or resting the pistol to level it on the left arm: a proposal made to one of our officers, a Captain G——, who had lost the use of his right arm in the Pyrenees, but who contrived with his left to wound very severely the desperado who sought to take such an unfair advantage of an honourable infirmity. These differences, to which we shall refer elsewhere, must have led to the most fatal consequences, had not the American commodore very wisely put out to sea.

It is to be lamented that this recklessness of life, that prevails in the United States of America, should have extended its baneful influence over our West India colonies. Both the British and French creoles are hasty in the expression of their displeasure, and vindictive in seeking to avenge their real or supposed wrongs. This circumstance is perhaps to be attributed to the great mortality which afflicts these unhealthy regions, as the constant sight of death, and the incessant tolling of the passing bell, must in a great measure strip death of many of its terrors. It is also to be observed, that the creoles, who

enjoy a short but a merry life, are much addicted to the pleasures of the table, and balls generally succeed the festival, when the passions, excited by previous stimulants, predispose to a captious and jealous susceptibility; and wine and women reign paramount in the assembly. To this circumstance may be superadded the constant dissensions in colonial politics, where the representatives of the place are often in collision with the government; and it is to be lamented, that too frequently the crown lawyers themselves, instead of endeavouring to check the evils that must arise from such a want of concert and harmony, are the first to disturb the public peace; and attorney-general and solicitor-general are occasionally the most troublesome and pugnacious members of society.

A very severe lesson was given to a noted French duellist in Jamaica, by the captain of a West Indiaman, which is worthy of record. Henri d'Egville was a creole of St. Domingo, and had obtained great notoriety from the frequent quarrels and fatal duels in which he had been engaged. He was dining one day at Kingston, in company with several persons, amongst whom was a Scotch captain, of the name of Stewart. The meeting was convivial, and various songs and toasts were called for and given. At last D'Egville requested Stewart to sing a Gaëlic song, which the Scotchman declined on

the plea of his ignorance of that language. The Frenchman insisted, when Stewart sang a Scotch drinking song, which D'Egville, who understood but little English, took for a Gaëlic strain. Here the matter ended, the party broke up, and Stewart repaired to his vessel, accompanied by a friend, when the conversation turned upon duelling, and the reputation that D'Egville had obtained of being a dangerous man. Stewart expressed his horror of duelling, and admitted that it had been his misfortune to kill one of his intimate friends, of the name of Cameron, in a hostile meeting, occasioned by some difference between them concerning a lady, when Cameron had struck him. The Scotchman expressed his deep sorrow for that melancholy event, which had ever since embittered his existence.

While the parties were thus conversing, they perceived a boat pulling towards the ship, and Stewart recognised in it a Captain Wilthorpe, an officer in the Columbian service, a professed duellist, and the constant and worthy companion of D'Egville. Stewart had strange forebodings at this unexpected visit, which were soon realised. Wilthorpe came on board, and, after politely saluting the captain and his friend, delivered a message from Henri d'Egville, who had considered himself mystified by Stewart's having sought to impose upon him an English song for a Gaëlic specimen.

The Scotch captain expressed his surprise at this communication, and at the same time declared his firm resolution not to fight a duel after the melancholy result of a former one in which he had been engaged. Wilthorpe withdrew and returned to his boat. Stewart, shortly after having occasion to go on shore, met D'Egville on horseback, when the latter rode up to him, struck him with a horsewhip, and galloped off.

Stewart, greatly indignant at this outrageous conduct, formed the resolution of ridding the world of such a pestilence; and at the same time perilling his own life by compelling the Frenchman to fight a duel which would render the fall of both of them certain. He sent him a message, and requested a meeting behind the Iguanna rocks. He then, accompanied by two of his men, proceeded to the rendezvous, and directed them to dig a grave sufficiently deep to receive two bodies. D'Egville soon appeared, and Stewart proposed, as conditions of the duel, that they both should stand in the grave, holding their pistols in one hand and the end of a pocket-handkerchief in the other. The sun was shedding its parting rays on the wild spot he had selected. Stewart was firm and calm: the Frenchman, despite his efforts to appear undismayed, betrayed evident signs of perturbation.

The seconds, one of whom was Wilthorpe, drew lots for the word of command — the fatal

signal of death. The parties descended into the pit; Stewart with an undaunted step, D'Egville with much trepidation. The handkerchief was placed in their hands, firmly grasped by the Scotchman, tremblingly held by the creole: the word "Fire" was about to be given, when the ruffian swooned and fell at the feet of his adversary. Stewart spurned him with his foot, as a dastardly and contemptible coward, and left him to the care of his worthy companion and friend.

In the same colony, a fatal duel of a most singular nature took place in 1830. Two planters, having made rather free at a merry dinner, quarrelled and determined to fight a duel with muskets. Their boon companions consented to the meeting; but, knowing the friendship that had long existed between them, and the absurdity of the dispute, they determined to load the pieces with powder and without ball. The parties met, fired by signal, when, to the utter dismay of the seconds and the party assembled to witness the sham fight, one of them was shot in the back and dropped a corpse. Recovered from their surprise, they carefully examined the surrounding bush, when at last they discovered a negro concealed under a tree, and armed with a carbine. The man was seized, and confessed that he was the assassin. The motives that had impelled him to this deed were most singular.

It appeared that the preceding day, one of the planters had passed by a gibbet on which a negro was hanging, when he wantonly put a pipe in the mouth of the culprit. It was a companion of the unfortunate man, who, on beholding the action, resolved on punishing the planter as soon as a favourable opportunity might present itself. He was present when the duel was decided on, and he hastened to his cabin, loaded a carbine, and concealing himself behind a tree, near the scene of action, intended to fire upon his victim; but the darkness of the night led to the fatal mistake, which deprived the offender's adversary of life.

It is not only in the British colonies that law officers show the detestable example of duelling. In 1829 the attorney-general of Martinique shot a French count, in consequence of some ill-timed jokes in a ball-room. Not long ago, the governor of one of our transatlantic possessions fought a duel with the chief-justice of the island. Nor can we be surprised at these disgraceful occurrences, when it is notorious that the judicial and legal situations in the colonies are not always conferred on merit, legal attainments, or proper qualifications, but often upon persons who merely possess patronage; and any tyro who is called to the bar is considered fit for the judicial bench of a colony, or the duties of a crown lawyer. The same abuse of power became the curse of the

Spanish American possessions; whenever a *hidalgo* was ruined, or too poor to live in the mother country, or unfit for any situation at home, he was sent out to *Las Indias* to make a fortune. It seems to be the destiny of all colonies to be subject to misrule and oppression; and one might imagine that to *colonize*, imports creating future *enemies*.

Amongst people of colour duels are not uncommon: at Hayti, the greatest insult is to call a man a mulatto, an offence which induced one of their generals of the name of Lapointe to order the legs of a negro to be sawed off.

The evils of colonization are every day becoming more evident in Algeria, a possession which will prove to France a drain of blood and treasure, and the tranquillity of which is frequently disturbed by disputes and duels, both amongst military men and civil officers. There, as in America, party spirit runs high; and the greater the difficulties public functionaries have to encounter in the discharge of their duty, and their care of personal interest, the more liable will society be to a want of harmony and difference of opinion. Colonies may be considered as republics belonging to monarchical governments, and many anomalies must necessarily prevail in their administration.

The subject of duelling in the United States, and the many causes of its frequency to which

we have alluded, cannot be better illustrated than by the following extract from the works of our poet Moore :—

"The rude familiarity of the lower orders, and indeed the unpolished state of society in general, would neither surprise nor disgust, if they seemed to flow from that simplicity of character, that honest ignorance of the glass of refinement, which may be looked for in a new and inexperienced people. But when we find them arrived at maturity in most of the vices, and in all the pride of civilization, while they are still so remote from its elegant characteristics, it is impossible not to feel that this youthful decay, this crude anticipation of the natural period of corruption, represses every sanguine hope of the future energy and greatness of America."

Although we cannot agree with our author in the latter part of his opinion, as America is daily rising to power and eminence, yet there is no doubt that the rancorous hostility which will long prevail between the democrats and the federalists, the wealthy and the poor, the northern and the southern, will prove for a considerable time an endless source of discord in a land where licentiousness is considered liberty.

CHAPTER XXII.

DUELS IN THE EAST.

There appears but little doubt of the common origin of the Germans, the Chinese and Turcomans; some similarity of laws and customs may therefore be considered as likely to be traced amongst the latter people. Du Buat states that on the shores of the Caspian Sea, ancient monuments have been discovered, which clearly show that those shores had once been the site of a country called *Li Ken*, and subsequently *Ta Tsin*, and known to the Chinese under the denomination of *Shem Han*, a dynasty bearing date about two hundred and seven years before our era.

This people he considers to have been a race of Huns, afterwards Tartars, and of whom the Chinese historians relate the most extraordinary traditions. According to these writers, the capital of the *Ta Tsins* was a hundred leagues in circumference, and was adorned by five palaces, situate ten leagues from each other. The people were, moreover, according to these accounts, most comely and tall, like the Chinese: hence

were they called *Ta*, great, and *Tsin*, China. It appears, moreover, evident that the doctrines and fables of the *Boudha* are similar to those of *Wooden*, or *Odin*.

Thus do we find the laws of retaliation and compensation as pertinaciously observed by the Chinese, as by the inhabitants of ancient Germania, although amongst the former duels are unknown. According to the magnitude of the offence, the infliction of the bamboo is ordered: ten strokes for a verbal affront; twenty, for a blow, or a kick; fifty, for tearing off a certain quantity of hair; and eighty, for throwing dust in the face; while life atones for life.

According to the laws of Zoroaster, in a work attributed to him, called the *Zend-Avesta*, abridged in a compendium entitled the *Sad-er*, or the *gates*,—intending to strike a blow constitutes the offence called *Agnerefte;* to give it is the *Eonvereschte*. The first misdemeanor is punished with five blows; the second, with ten; increased in aggravated cases, and on reiteration of the offence. To inflict a wound that requires more than two days to heal, is an *Aredosch;* and to strike a man behind, a *Khor*. The punishment of the first, is fifteen strokes; of the second, thirty lashes, inflicted with a leather strap.

In Japan, instead of fighting duels, the parties endeavour to display their valour by committing suicide. It is related that two officers of the house-

hold of the Emperor having met on the staircase of the palace, their sabres happened to entangle: words arose; one of them imputed the affair to accident, adding, that the quarrel was between the two swords, and the one was as good as the other. "We shall see that presently," replied his adversary, and with these words he drew his weapon, and plunged it into his own breast. The other, impatient to display similar courage, hurried away, in order to serve up a dish that he was carrying to the Emperor's table, which having done, he returned to his opponent, who was at the point of death; but on finding that he was still alive, he also plunged his sword into his own body, adding, "You should not have had the start of me, had not my duties obliged me to attend the Emperor. I die, however, contented, since I have proved to you and to the world, that my sabre is as trusty as your own."

Under such regulations it may be easily imagined that duels in Japan are rare, and quarrels not frequent. Each street has a resident police officer, called an *Ottona*. In the event of any difference arising, he calls upon the parties to come to some amicable arrangement, and has the power of incarcerating the persons who hesitate in following his advice. When a quarrel or an affray takes place, the inhabitants of the street are obliged to check it, and if one of the party is killed, the survivor is put to

death, and three of the principal neighbouring families are placed under interdict for several months, while the other citizens in the vicinity are condemned to some hard labour. When a man dies, an inquest is invariably held on the body, to ascertain that it bears no marks of violence, for a violent death must be avenged somehow or other.

Amongst the Arabs we again have the Germanic vindictive retaliation: each family is considered the guardian and avenger of its own rights. Their susceptibility of an offence is most punctilious, and as Niebuhr observes, "the honour of their women, and their beards, is equally dear to them." An expression of contempt can only be washed off by the blood of the offender, and their inveterate hate, and thirst of revenge, frequently brood and smoulder for years, until an opportunity offers to glut their revenge. No compensation can atone for the loss of life: the existence of the murderer is placed in the hands of the relatives of the deceased; but it is not always the life of the assassin alone that can gratify them,—they will fix upon some innocent member of his family, whose existence may be the most precious to his friends. When their victim is murdered, his family and his clan will, in their turn, meditate on the most refined means of avenging his fall. Thus do these bloody feuds

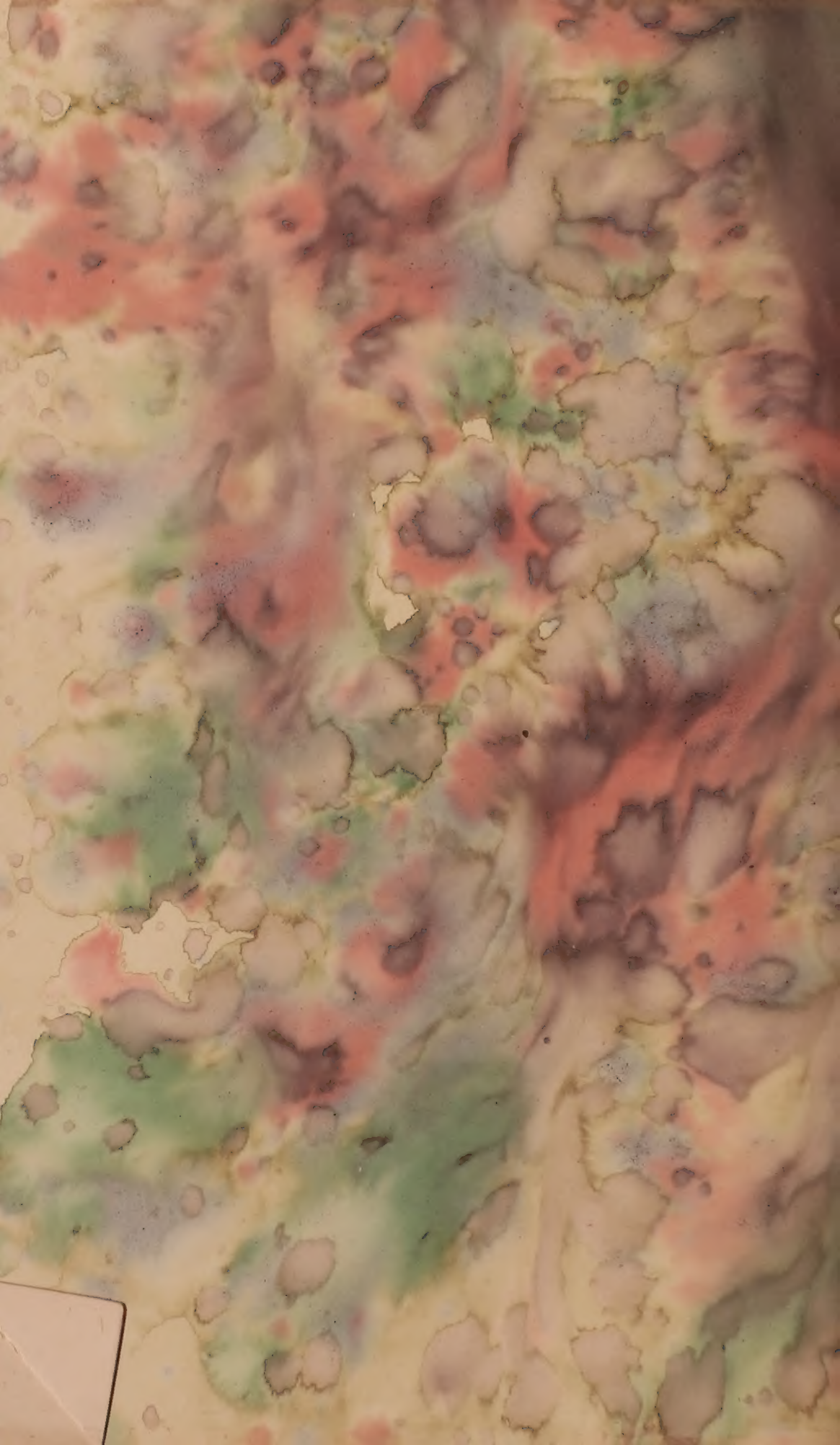
exist for centuries, and revenge is transmitted down as an honourable heir-loom.

Amongst the American Indians we observe similar acts of vengeance. An Indian had a quarrel with one of his countrymen, who bit him severely in the hand; the latter declared himself maimed, and demanded a combat. The day is fixed; the tribe assembled. The champions advance: the offended is armed with a musket; the offender is without any weapon; both are painted of different colours. The parties approach each other running, but halt at fifteen paces distance. The man without arms presents his breast to his antagonist, who, quietly resting on his piece, takes a draught out of his gourd, and calmly looks around him. On a sudden he utters a loud and wild shriek, fires, and brings down his foe. While the offender is weltering in his blood, the other gives up his musket to the son, or a near relation of the dying man; he then retreats some paces, takes a firm stand, points with his finger to the region of the heart, and in turn receives his mortal wound. It appears that in all such cases it is necessary that both parties should perish.

Such are the notions of honour amongst uncivilised nations and infidels! Can we, as CHRISTIANS, boast of a higher sense of justice, and of respect to the laws of God and man? Alas!

might not the unbelievers whom we seek to reclaim by the mild doctrines of the SAVIOUR, have too frequently reason to reply to us in the words of the Inca to the murderous Castilian, "I should not wish to go to thy Heaven, if I am to meet thee there." The following anecdote will show that barbarians, as we are pleased to denominate them, can afford a bright example to the most refined nations of Europe.

In 1690, a quarrel arose between two sons of Muly Ismael, Emperor of Morocco: a combat took place, which was interrupted, and they were both brought in chains before their father, who thus addressed them: — "I am rejoiced to see you still amongst the living, although you both should have fallen in the combat. It appears that you imagined that you no longer possessed a father, or that you had forgotten that you were my sons. Mild as lambs when I am with you, you are each more furious than a roaring lion when I am away. I still live, and you have dared to have recourse to arms." So saying, he ordered that staves should be put into their hands, and that they should chastise each other in his presence.

END OF THE FIRST VOLUME.

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